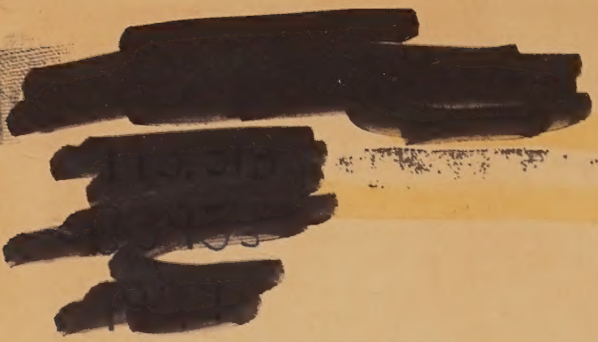
Becker, Carl Lotus

The spirit of '76
and other essays

THE SPIRIT OF '76



WITHDRAWN

THE SPIRIT OF '76

AND

OTHER ESSAYS

By

CARL BECKER
J. M. CLARK
WILLIAM E. DODD

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The three lectures which make up this volume were delivered on November 19, 1926 at the Robert Brookings Graduate School of Economics and Government, in commemoration of the one hundred fiftieth anniversary of the year which witnessed the publication of *The Wealth of Nations* and *The Declaration of Independence*

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THE SPIRIT OF '76

By Carl Becker

John Stambaugh Professor of History in Cornell University

THE SPIRIT OF '76

(Last October Mr. Lyon asked me to come down to the Brookings School and tell you about the Spirit of '76. I suspected that he hadn't any clear notion of what was meant by the phrase "Spirit of '76," and I was positive I hadn't. I was therefore about to decline the invitation when, rummaging among my papers, I came upon an old and imperfect manuscript which seemed providentially designed to throw some light on this obscure subject. The manuscript bore the date of 1792, but who may have written it I was unable to determine. There are obviously some pages missing, and the tale ends suddenly as if never quite finished. But such as it is I have transcribed it, and I give it to you for what it may be worth. The title of the manuscript is "Jeremiah Wynkoop.")

JEREMIAH WYNKOOP

During the war of independence I not infrequently heard zealous patriots say that Mr. Wynkoop was not as warm in the cause as he should be. The charge has lately been revived by those who had no great liking for Mr. Wynkoop's Federalist principles. Mr. Wynkoop was of course not alone in being thus distinguished.

The Spirit of '76

It is now said of many men who were never suspected of being Tory that they look back with regret to the old days before the breach with Britain. It is said of them, to employ a phrase now becoming current, that they were never really inspired by the true spirit of '76. For my part, I suspect that, in recalling the desperate days of the war, we are likely to invest the so-called spirit of '76 with a glamor which it did not have at the time. Be that as it may, I knew Jeremiah Wynkoop as an honest man and a genuine patriot. I was his closest friend, intimate enough to know better than most the difficulties that confronted him and the sentiments that determined his conduct. And so I think it worth while, now that the man is dead, to set down a plain tale of his activities and opinions from the beginning of the quarrel in 1763 to the final breach in 1776. This I do, not only for old friendship's sake and as a justification of Mr. Wynkoop, but as a contribution to the history of those troubled times; for Jeremiah Wynkoop was fairly representative, both in his station in life and in his opinions, of that considerable class of substantial men who did as much as any other class, and I think more than any other class, to enable these states to maintain their liberties against British tyranny.

Born of rich middle class parents of genuine Dutch-American stock, Jeremiah was educated at Kings College, then recently established. In fact we both entered the College the year it was founded, and graduated with the first class in 1758. Jeremiah then spent two years in the office of William Moore reading law, a profession which he nevertheless abandoned for the trade. Taking over a profitable business upon the sudden death of his father, he rapidly achieved a notable success in commerce, chiefly in West Indian ventures, and was already known, in 1765, as a leading merchant in New York, where he had offices near the wharves, and a town house, inherited from his father, on the Bowling Green. But Jeremiah, being much given to study and the reading of books, preferred to live away from the distractions of the city, and had in fact for some years resided in the country, out Greenwich Village way, where he possessed a fine estate which had come to him as part of the generous dowry of his wife, the daughter of old Nicholas Van Schoickendinck, a great landowner in the province.

Mr. Wynkoop was much given to the reading of books, as I have said; and it is necessary to dwell on this matter a little since it helps to

explain his opinions and conduct. Of all books, histories of the ancient and the modern times were his favorite study.. It was an interest which he acquired in college, and never afterward lost. In college of course we all read the standard Greek and Roman writers, and acquired the usual knowledge of classical history. To admire the classical poets and essayists was nothing out of the way for young men in college, but the ancient civilization fascinated Jeremiah more than most of us, and I recall that he devoured every book on that subject which the college afforded, and many others which he bought or borrowed. The Parallel Lives of Plutarch he knew almost by heart, and was never weary of discanting on the austere morality and virtuous republicanism of those heroic times. For Jeremiah a kind of golden age was pictured there, a lost world which forever disappeared when Caesar crossed the Rubicon. The later Roman times never interested him much—"five hundred years," he used to say, "in which the civilized world groaned under the heavy hand of tyrants, relieved only by the reigns of five good emperors." Still less was he interested in the Dark Ages, when the light of learning and the spirit of liberty were submerged by feudal anarchy and

ecclesiastical superstition. But the story of modern times fascinated Jeremiah as much as the story of the ancient world because all its significance seemed to lie in the slow and painful emergence from that long mediaeval night, through the recovery of the wisdom of the ancients, the progress of natural philosophy, and the struggle for political liberty.

All these matters I recall we used to discuss at great length, so that I was perfectly familiar with Jeremiah's reflections on history. At that time his ideas seemed to me wonderfully novel and interesting, but I have since thought them, in a vague general way at least, those of most cultivated Americans. Be that as it may, all the significance of history appeared to Mr. Wynkoop to lie in the age long conflict between Truth and Error, between Freedom and Oppression. And for this reason he opined that the central event of modern times was the struggle of the last century between the English people and the Stuart kings. With the history of that heroic time he was entirely familiar, and in a less degree I was too. Our heroes were Pym and Eliot, and John Hampden, imprisoned for refusing to pay a twenty shilling tax. Cromwell we admired as the man of iron who had forever laid the ghost

of the Divine Right doctrine, and whose mistakes were later corrected by the liberal Whigs who called in Dutch William to replace the last of the Stuarts. We knew the great charters of liberty—the Magna Charta, the Petition of Right and the Bill of Rights. We knew our Milton, the man who defended the authority of elected magistrates, and erected an impregnable bulwark against the denial of free speech. We knew our Grotius, who had discovered in right reason the foundation of civil and international society. Above all we knew our Locke, and especially his second discourse on Civil Government, in which he so eloquently defended the Revolution of '88 as an act of reasonable men defending their natural rights against the usurping king who had broken the original compact.

Much as Jeremiah admired England as the home of political liberty, he was thoroughly American, and it was always his idea that America had played a most notable part in the great modern struggle against the oppression of Church and State. He used to find great satisfaction in recalling that our ancestors, at the hazard of their lives and fortunes, had braved the terrors of the new world in pursuit of religious and political liberty; that they had per-

sisted, often at the point of failure, in the desperate determination to transform the inhospitable wilderness into a land fit for human habitation; and he would point out that they had succeeded beyond any reasonable expectation, so much so that these thirteen colonies were now the most fortunate and the freest countries in the world—thirteen communities living in peace and content, happily without kings, neither burdened with an idle aristocracy nor menaced by a depraved populace, with a press uncensored, and many religious faiths deprived of the power of persecution and long habituated to the spirit of toleration. For my part I used to complain sometimes that after all we were only "provincials," remote from the center of things. I used to express the wish that fate had set us down in London, nearer Piccadilly and the Beefsteak Club. But Jeremiah would have none of such repining. Provincials we might be in a geographical sense, he would say, but spiritually we were at "the center of the world, in the direct line of those heroes and martyrs who since the beginning of time have done battle for the dignity and happiness of mankind against the leagued assailants of both."

(Here some pages are missing in the manuscript. It goes on as follows.)

. . . . are become so populous and wealthy that we are as indispensable to Britain as Britain is to us. The time is surely approaching when this vast country will be the center of the power and wealth of the Empire. We are now freed from the French menace. The peace will be an enduring one, and the two branches of the English race will continue in the future as in the past to exemplify to the world those incomparable blessings that are the prerogatives of free peoples."

Such was Jeremiah Wynkoop's conception of history in general and of the part which Britain and America had played in the story of human progress. With him it was a kind of philosophy, a religion indeed, the only religion really that he had. I don't mean that he was of the atheistical school of thought. He believed indeed in the existence of the Deity as the First Cause and Original Contriver of the universe; and this was in fact the very reason why he found so much delight in the study of history. History was God's revelation of the meaning of life and of human destiny on earth, making plain the

gradual progress and the ultimate triumph of Truth and Freedom. And this I think was the secret of his profound loyalty to both Britain and America; these were in his view the promised lands, the homes of the chosen peoples whose mission it was to lead mankind toward the final goal.

Nothing at all events was farther from his thought in 1763 than that there could be any serious differences between the two peoples who were so bound together by ties of blood and affection, by mutual respect, and by the common tradition of . . . .

(*Another break in the manuscript here.*)

In the year 1765 Mr. Wynkoop shared the general feeling of apprehension which for two years had been steadily increasing on account of the measures, as unprecedented as they were unfortunate, of the king's minister, Mr. George Grenville. The chief of these measures were undoubtedly the Sugar Act of the last, and the Stamp Act of the then present year. On the nature and effects of these measures Mr. Wynkoop had read and reflected as much as a busy man well could do. The Sugar Act, obviously

designed to placate the British West Indian sugar planters, was certain, as indeed it was intended, to put obstacles in the way of the island trade with New York and New England. In that trade Mr. Wynkoop was personally interested. It is true, as indeed he was careful to tell me, that his profits for the last year were much as usual; but it had been abundantly demonstrated in pamphlets that the Sugar duties were bound to have a disastrous effect on American trade in general; would, for example, undermine the New England Rum industry and thereby depress the fisheries and the African trade; would diminish the exports of lumber and grain from New York and Pennsylvania; would above all, since the new duties were to be paid in silver, drain the colonies of their small store of hard money and thereby make it difficult for American merchants to settle their balances due in London on account of imported British manufactures.

No one doubted, at least no one in America, that the Sugar Act was unwise in point of policy, calculated to defeat the very end intended. Yet there it was, an act of Parliament imposing duties for the regulation of trade, and we could not deny that Parliament had long exercised without opposition the right to regulate trade. But I

recall Mr. Wynkoop's pointing out to me one novel feature of the act, which was the declared purpose, expressed in the preamble, of raising a revenue in "his Majesty's dominions in America, for defraying the expenses of defending, protecting, and securing the same." For some reason Mr. Wynkoop disliked the term "dominions," always preferring the term "colonies." But he disliked still more the term "securing." For two years ministers had been prone to talk of laying restrictions on his Majesty's dominions for their better security. This idea Mr. Wynkoop disliked extremely. I remember his saying that the term "free-born Englishmen" had always given him great satisfaction, that he had always supposed that Americans were possessed of all the rights of Englishmen born within the realm; and indeed I knew him well enough to know that he harbored the firm conviction that Americans were not only as free as Englishmen but even a little freer, a degree less subservient to aristocrats and kings, a degree more emancipated from custom and the dead hand of the past. I often heard him compare the Assembly of New York, chosen by the free suffrages of the people, with the British Parliament in which so often the members were chosen by irresponsible Peers and

Boroughmongers—compare them of course to the disadvantage of the latter. To suppose that Parliament was now bent upon restricting the dearly bought and well deserved liberties of America was to Jeremiah, as indeed it was to all of us, an alien and distressing thought.

We could scarcely therefore avoid asking the question: "What constitutional right has the British Parliament to legislate in restraint of American liberties?" We never doubted that we were possessed of liberties, and no American, certainly no American as well informed as Mr. Wynkoop, needed to be told that there was a British Constitution which guaranteed the rights of Englishmen. Yet, as I recall those early years, I must confess that we were somewhat perplexed, had a little the air of groping about in the dark for the precise provisions of the British Constitution. The spirit of the British Constitution we knew was to be found in the Magna Charta and the Bill of Rights. Rights were indeed of its very essence; and to Mr. Wynkoop at least it was incredible that there was not to be found in it an adequate guarantee of the rights which Americans ought to enjoy. I remember his reading to me certain passages from the pamphlets of Stephen Hopkins and Governor

Hutchinson—pamphlets which he thought expressed the American view very adequately. "What motive," Mr. Hopkins asked, "can remain to induce the Parliament to hedge the principles and lessen the rights of the most dutiful and loyal subjects—subjects justly entitled to ample freedom, who have long enjoyed and not abused, their liberties?" This passage I think expressed Mr. Wynkoop's state of mind very well in the year of the Sugar Act. His state of mind was one of amazement, the state of mind of a man who is still at the point of asking questions—Why? For what reason?

Meantime the Stamp Act, presenting the question more clearly, did much to clarify our ideas on the matter of American taxation; and certainly Mr. Wynkoop was never in doubt as to the unconstitutionality of that famous measure. In those days I was much at Mr. Wynkoop's house, and I remember one day in November, 1765, sitting with him and his father-in-law, old Nicholas Van Schoickendinck, discussing the state of the nation. Even old Nicholas had been startled out of his customary complacency by the furious excitement occasioned by the Stamp Act.

"The Act is unconstitutional, sir," Mr. Wyn-

koop had just declared, somewhat dogmatically it must be confessed, and for perhaps the third time. "There can be no question about that I think. It is not only contrary to precedent, but is destructive of British liberty, the fundamental principle of which is that Englishmen may not be taxed without their own consent. We certainly never gave our assent to the Stamp Act."

"I won't say no to that," old Nicholas remarked. "And if we had done no more than to protest the measure I should be well content."

"Little good protests would have done, sir. We protested before the bill was passed, and without effect. Mr. Grenville would not hear our protests, and now he finds the act virtually nullified. I can't say I regret it."

"Nullified!" Old Nicholas exclaimed with some asperity. "A soft word for a nasty business. Mr. Grenville finds his law 'nullified,' you say. But in getting the law nullified we get half the windows of the Broad Way smashed too, and Governor Colden gets his chariot burned. For my part I don't know what Mr. Colden's chariot had to do with the devilish stamps—it wasn't designed to carry them."

"Very true, sir, I admit. And regrettable

enough, all this parading and disturbance. But if Ministers will play with oppression the people will play with violence. Similar incidents occurred in England itself in the last century. Let Mr. Grenville beware of playing the rôle of Strafford. God knows I am no friend of rioting. I have windows too. But a little rioting may be necessary on occasion to warn ministers that legislative lawlessness is likely to be met by popular violence."

Mr. Wynkoop had perhaps a little the air of talking to convince himself rather than old Nicholas. Old Nicholas at least was not convinced.

"Tush!" he exclaimed irritably. "That's a new word, 'popular.' You young fellows have picked up a lot of precious democratical phrases, I must say. Who are 'the people' you talk so loosely about? Another word for 'populace' or I miss my guess. Don't delude yourself by supposing that it was hatred of the Stamps that made them break Mr. Livingston's windows and burn Mr. Colden's chariot. They hate Mr. Livingston and Mr. Colden because they are men of substance and standing. It is not windows they aim at but class privileges, the privileges of my class and yours, the class that always has, and

I trust always will, govern this province. The bald fact is that a mob of mechanics and ne'er-do-wells, led by obscure fellows like John Lamb and Issac Sears who have hitherto doffed their caps and known their places, are now aiming to control the city through their self constituted committees. Sons of Liberty, they call themselves; sons of anarchy, in fact. I wish as much as you to preserve our liberties. But I warn you that liberty is a sword that cuts two ways, and if you can't defend your rights against ministerial oppression without stirring the 'people,' you will soon be confronted with the necessity of defending your privileges against the encroachments of the mob on the Bowling Green."

Old Nicholas stopped to light his pipe, and after a few puffs added:

"You don't associate with *Mr.* John Lamb, do you? You ain't one of the Liberty Boys who erect poles and break windows, I hope."

Mr. Wynkoop laughed off the sarcasm.

"Certainly not, sir. I don't know the fellow Lamb, never saw him in fact, although I am told, and believe, that he is an honest, worthy man. The danger you mention has of course occurred to me, but I think you probably exaggerate it. Let Britain repeal the Stamp Act, as

she must do, and the populace will be quiet enough."

We sat until a late hour. I took but little part in the discussion, enjoying nothing better than to listen to the good natured wrangling of these two friends. During the course of the evening each repeated, many times over, his former argument, all without rancor, but all equally without effect. Except in opinion, they were not divided; and at last, pledging one another courteously in a glass of stiff toddy, we separated for the night.

During the following months Mr. Wynkoop continued firm in the defence of American rights. He agreed, as all the substantial merchants did, not to use the stamps, which was indeed not possible since none were to be had. Yet he would do no business without them. Let the courts close, he said. Let his ships stand idle in harbor, a year, two years, let them rot there rather than submit to an unconstitutional measure. So I often heard him declare roundly, sitting at dinner sipping his madeira. . . .

(*Again something missing from the manuscript.*)

. . . . secret misgivings, during the long cold winter, by the continued disturbances in the streets, and by the clamor of those, mostly of the common sort, who demanded that the courts should open and denounced the merchants for timidly refusing to do business without stamps. The Sons of Liberty were saying that the stopping of business was all very well for gentlemen of fortune, but that it was ruining the people who must starve unless business went on as usual. The Sons of Liberty were grown more hostile to the merchants than they were to ministers, and they even hinted that the better sort were by their timidity betraying the cause. Meantime Old Nicholas appeared to enjoy the situation, and never lost an opportunity of asking him, Jeremiah Wynkoop, whether he hadn't yet joined the Liberty Boys, and why after all he didn't send his ships out, clearance papers or no clearance papers.

Mr. Wynkoop was therefore immensely relieved when the British Parliament finally repealed the hateful measure, thus at once justifying his conduct and restoring his confidence in the essential justice of Britain. He had now, I recall, rather the better of the argument with Old Nicholas (the two were forever disputing)

and pointed out to him ever so often that a little firmness on America's part was all that was needful to the preservation of her liberties. For two years he went about his business and pleasure with immense content. I dare say he easily forgot, as men will do, the distasteful incidents of the Stamp Act struggle, and allowed his mind to dwell chiefly on its satisfactions. He often spoke of the principle, "No taxation without representation," as being now fully established; often expressed his gratification that, by taking a firm and sensible stand, he and his substantial friends had brought Britain to recognize this principle; so that by the mere passing of time as it were these ideas acquired for Jeremiah a certain axiomatic character. I was never so sure of all this, and sometimes called his attention to the Declaratory Act as evidence that Britain still claimed the right of binding the colonies in all matters whatsoever. Needless to say, old Nicholas called his attention to the Declaratory Act oftener than I did. But Mr. Wynkoop would not take the Declaratory Act seriously. It was, he said, no more than a bravely flying banner designed to cover a dignified retreat from an untenable position; and he had no fear that Britain, having confessed its error by re-

pealing the Stamp Act, would ever again repeat it.

It presently appeared that the British government could commit errors without repeating itself. In 1767, following the mysterious retirement and delphic silences of Mr. Pitt, Mr. Charles Townshend had come forward, no one knew on whose authority, and promised the House to obtain a revenue from America without doing violence to her alleged rights. The Americans, he said, had drawn a distinction between "internal" and "external" taxes, denying the former but admitting the latter. This distinction Mr. Townshend thought "perfect nonsense," but was willing to humor Americans in it; which he would do by laying an external tax on the importation of glass, lead, paper, and tea. These duties, which would bring into the Exchequer about £40,000, the Americans must on their own principles, Mr. Townshend thought, admit to be constitutional.

It may strike my readers as odd that any one could have been surprised by anything Mr. Townshend took a notion to; but we were indeed not then as well aware of the man's essential frivolity as we have since become. I recall at all events that Mr. Wynkoop followed the pro-

ceedings in the House with amazement; and when we learned, one day in 1768, that Mr. Townshend had actually blarneyed the House into passing the Tea Act, the whole business struck Jeremiah as preposterous—"doubtless one of those deplorable jokes," I remember his saying, "which Mr. Townshend is fond of perpetrating when half drunk." I had some recollection that in the time of the Stamp Act troubles certain writers had hinted at a distinction between "internal" and "external" taxes; and Mr. Wynkoop admitted that some such distinction may have been made. But he said that for his part he thought little of such subtle distinctions, agreeing rather with Mr. Pitt that the real question was whether Parliament could "take money out of our pockets without our consent" by any tax whatsoever. There was, however, a difficulty in taking so advanced a position at that time, and as usual it was old Nicholas, always quick to perceive difficulties, who pointed it out.

"I fancy," old Nicholas had said, "that every act in regulation of trade takes money out of our pockets, but I don't imagine you have yet become so ardent a Son of Liberty as to deny Parliament the right of regulating our trade."

At that time we were all reading Mr. Dick-

inson's Letters of A Pennsylvania Farmer, and Mr. Wynkoop, who read everything, was able to meet that objection.

"The essential question," he said, "is whether an act of Parliament is laid primarily for the regulation of trade or for the raising of a revenue. If for the latter, it is a tax. The intention of the framers must decide, and there can be no question that the Tea Act is a tax since the framers expressly declare its purpose to be the raising of a revenue."

"A fine distinction, that! But it would be easy for the framers of an act to levy duties on imports with the real intention of raising a revenue, all the while professing loudly their intention of regulating trade. What then?"

"Americans would not be so easily deceived, sir. The nature of the Act would reveal the real intention clearly enough."

"Ha! You would determine the nature of an act by the intention of the framers, and the intention of the framers by the nature of the act. Excellent! That is the logic of your Pennsylvania Farmer. The New Englanders are still more advanced, I see. They are now saying that our rights are founded on a law of Nature, and God only knows what that is. God and

Mr. Adams—it's the same thing, I dare say."

"The New Englanders are likely to be a little rash, sir, I think," Mr. Wynkoop admitted. "The argument of their Mr. Adams is complicated, and I fear too subtle to be easily followed. I'm not sure I understand it."

"Well, never mind. You will all understand it soon enough. First you say that Britain has no right to lay internal taxes. Then that she has no right to levy taxes of any sort. Next you will be saying that Parliament has no right of legislation for the colonies on any matter whatsoever. And as you can't derive that from precedent you will derive it from the law of nature."

Mr. Wynkoop smiled at this outburst.

"I have no fear of its coming to that," he said. "The Tea Act is not really an act of Britain; it is Mr. Townshend's foolish hobby. A firm and sensible resistance on our part will effect its repeal. But if one could conceive Britain to be so blind as to push matters to extremes—well, I don't know. If it were really a choice between admitting that Parliament has a right of making all laws for us or denying that she has a right of making any laws for us, it would be a hard choice, but should we not be forced to choose the latter

alternative? What other answer could we make?"

"You may well ask! What answer will you make when your precious Adams comes out with a declaration of independency from Great Britain?"

"Independence!" Mr. Wynkoop exclaimed. "Good God, sir, what an idea!"

And indeed, at that time, the idea of separation from Great Britain struck us all as fantastic.

A firm and sensible resistance, Jeremiah had maintained, would bring a repeal of the Townshend duties, as it had formerly brought a repeal of the Stamp Act. When it was learned that Lord North, on March 5, 1770, had moved the repeal of all the Townshend duties save that on tea, Mr. Wynkoop could with some reason say, and did say, that events had proved the justice of his view. And Mr. Wynkoop felt, rightly enough, although he modestly refrained from boasting of it, that he had contributed to this happy result. With no more than the grudging consent of old Nicholas, he had taken a leading part in organizing the Merchant's Association—an agreement not to import any goods from Great Britain so long as the Townshend duties should be in force. That Association had been

faithfully kept by the New York merchants of substance and standing. Mr. Wynkoop had himself kept it to the letter, and had sacrificed much in doing so. He told me that his enlarged stock of goods, ordered in anticipation of the agreement, had soon been sold out—at high prices indeed, but not sufficiently high to recoup him for his subsequent losses. For four months last past business had been dull beyond all precedent—scarcely a ship moving; debts not to be collected; money hardly to be had at any price; and the poorer sort of people in dire need for want of employment.

There were indeed plenty of unscrupulous men who had done well enough, who had even profited while pretending to defend their country's rights. The Boston and Philadelphia merchants, as was definitely known in New York, had observed the Association none too well; and even in New York men of no standing had done a thriving business in the smuggling way, especially in Holland tea. Obviously the longer the Association was maintained by honest merchants, the more unscrupulous smugglers would profit by it. We were therefore somewhat surprised to learn that the Boston merchants were in favor of maintaining the Association in full vigor, in spite of Lord

North's concessions, so long as the 3d duty on tea was retained. This policy was also advocated by the dishonest beneficiaries of the system in New York, who made use of agitators like Mr. MacDougall to stir up the Mechanics Association and the populace generally against the Merchants, their argument being that our liberties were as much endangered by the 3d duty on tea as they had been by all the Townshend duties.

I am not so sure now that they were wrong, but at that time all of the substantial merchants of New York were strong for a modification of the Association. Mr. Wynkoop, I recall, took a leading part in the affair. He was much irritated with the Boston merchants whom he described as being more active in "resolving what to do than in doing what they had resolved." His opinion was that the Association no longer served any "purpose other than to tie the hands of honest men to let rogues, smugglers, and men of no character plunder their country." Besides, he was much gratified, as all the merchants were, by the recent act of the British government permitting the issue in New York of a paper currency, which was so essential to business prosperity. And therefore, in view of the fact that Britain had taken the first step by repealing the major part

of the Townshend duties, it seemed to him the part of wisdom for the colonies to make some concession on their part. The New York merchants of standing were I think generally of Mr. Wynkoop's opinion; and at all events, after taking a canvass of the city, they resolved to abandon the old Association, agreeing for the future to import all commodities, "except teas and other articles that are or may be subject to an importation duty." Some were apprehensive lest New York might find itself alone in this action, and thereby suffer the stigma of having deserted the cause. But in the event it proved otherwise, as Mr. Wynkoop had anticipated. In spite of protests from Boston and Philadelphia, the merchants of those cities followed the lead of New York. Demonstrations in the streets soon subsided, importation became general, business revived, and the controversy with Britain seemed definitely closed.

The years of '71 and '72 were quiet years—ominously so as it proved. But in those days we all nourished the conviction that the controversy with Britain was definitely closed. Nothing occurred to remind us of it even, unless it would be the annual celebrations of the repeal of the Stamp Act, or the faint reverberations, always to

be heard in any case, of political squabbles in the Massachusetts Bay. Then, out of a clear sky as it seemed, the storm burst—the landing of the tea ships, the destruction of the tea in Boston harbor, and the subsequent meeting of the Philadelphia Congress. These events, all occurring in rapid succession, seemed to fall like so many blows on Mr. Wynkoop's head, and I recall his saying to me. . . .

(*Here the manuscript breaks off again, and there are evidently some pages missing.*)

. . . . return from Philadelphia, I met him at his father's house where we were to take dinner, as often happened. Arriving early, we had a long talk while waiting for old Nicholas to come down. I found Mr. Wynkoop in low spirits, an unusual thing for him. It may have been no more than a natural weakness after the excitement of attending the Congress, but to my accustomed eyes his low spirits seemed rather due to the uncomfortable feeling that he had been elbowed by circumstances into a position which he never intended to occupy. I was eager for the details of the Congress, but he seemed unwilling to talk of that, preferring rather to dwell upon

the events leading up to it—matters which we had threshed out many times before. It was as if Mr. Wynkoop wished to revive the events of the last year and his own part in them, as if, feeling that he might and perhaps should have followed a different line of conduct, his mind was eagerly engaged in finding some good reasons for the line of conduct which he had followed in fact. What first gave me this notion was his saying, *apropos* of nothing.

"I will confess to you, what I would not to another, that if I could twelve months ago have foreseen the present situation I should probably not have attended the Congress."

The remark alarmed me. Mr. Wynkoop's admiration for Britain and his faith in her essential justice were always stronger than mine. For my part I doubted not, from the moment of the passing of the Coercive Acts, that we were in for it, that Britain would not back down again, and that we must either break with her or submit to her demands. My decision was made. I would go with America when the time came for the final breach, I knew that; and above all things I wished Mr. Wynkoop, who was my closest friend, to throw the weight of his powerful interest on the side of my country. But I knew him

well enough to be sure that if he now convinced himself that it would come to a breach with Britain he would probably wash his hands of the whole business. What I counted on was a certain capacity in the man, I won't say for deceiving himself, but for convincing himself that what he strongly desired would somehow come to pass. I therefore did what I could to convince him, or rather to help him convince himself, that his past and present conduct was that of a wise and prudent man.

"No man can foresee the future," I remarked, somewhat sententiously.

"That is true," he said. "And even could I have foreseen the future, I fail to see how I could have acted differently, at least not honorably and with any satisfaction to myself. It is past a doubt that Britain, in authorizing the India Company to sell its teas in America, deliberately sought to raise the issue with America once more. It was a challenge, and so insidiously contrived that America had no choice but submission or a resort to a certain amount of violence. Once landed the teas were bound to be sold, since even with the 3d duty they were offered at a less price than the Holland teas. The issue could not be met by commercial agreements, still less by ar-

gument. Well, we sent the teas back to London. The Massachusetts people threw theirs into the harbor. Violence, undoubtedly. I had no part in it, but what could be done? Who after all was responsible for the violence? Let ministers who revived an issue happily settled answer that."

"There is no doubt in my mind," I said, "that Britain welcomed the violence in Boston harbor as a pretext for strong measures."

"It seems incredible," Mr. Wynkoop resumed, "but what else can we think? Hitherto it might be said of ministers that they blundered, that they did not know the consequences of their acts. But not on this occasion. They knew perfectly the temper of America; and in any case the destruction of a little tea was surely a mild offense compared with the abrogation of the Massachusetts Charter and the closing of Boston harbor. To subject a loyal province to military despotism, and then deliberately to set about starving the people into submission reveals a vindictiveness foreign to the British character. I can't think the Coercive Acts represent the will of the English people, and I am confident, always have been, that the sober second thought of the nation will repudiate these acts of ministerial despotism."

It was not the first time I had heard Mr. Wynkoop express that sentiment.

"I trust it may prove so," I said. "At least we have done our part. No one can say that the Congress has countenanced rash measures. It has merely adopted a commercial agreement, a measure which we have frequently resorted to before. I don't see how it could have done less."

Mr. Wynkoop seemed a little uncertain of that.

"Yes," he said. "I suppose we could not have done less; Heaven knows we have shown a proper restraint. And I may say that what little influence I have had has always been exerted to that end."

I knew well enough what he was thinking of. After the tea episode there were rash spirits who talked of resort to arms, and even hinted at independence. There were such men even in New York. They had formed the Committee of 25, but fortunately the more moderate minded had got the committee enlarged to 51; and Mr. Wynkoop, together with Mr. Jay and Mr. Alsop and other men of substance, had consented to serve on the Committee of 51 in order to prevent the firebrands from carrying the province into violent measures. Old Nicholas had advised against it.

"Beware of meddling with treason," I recall hearing him say to Mr. Wynkoop at that time.

"Precisely my idea," Mr. Wynkoop had replied, with the smile he always had for old Nicholas' penchant for using stronger terms than the occasion warranted. "I wish to steer clear of treason, or anything remotely approaching it. But it is plain to be seen that New York will support Boston in some fashion, plain to be seen that she will send delegates to Philadelphia. Suppose I and all moderate men follow your advice and wash our hands of the affair? What then? Then the Mechanics will take the lead and send MacDougall and Sears and men of their kidney to Philadelphia, with instructions for vigorous measures. Vigorous measures! God only knows what measures they may be for!"

It was to keep New York from violent measures of all sorts that Mr. Wynkoop had consented to serve on the Committee of 51; it was for that reason he had gone to Philadelphia. I knew that better than most, and I knew that that was what he was now thinking of.

"I am very glad you went to Philadelphia," I said.

"What else could I have done?" he exclaimed. "I have asked myself that a dozen times without

finding any answer. But about the Association I don't know. You say it is a moderate measure, but after all it was the measure of the New Englanders, and among the moderates of Philadelphia it was commonly thought to be perhaps too vigorous. I was opposed to it. I voted against it. And having done so perhaps I was ill advised to sign it. I don't know."

I was about to make some reply, when old Nicholas came into the room, and I fancied I could see Mr. Wynkoop stiffen to defend his conduct against inevitable sarcasms.

"Fine doings!" Old Nicholas growled. "The New Englanders had their way, as I expected. I warned you against meddling with treason."

"Treason's a strong word, sir."

"The Association smells of it."

"I cannot think so, sir. The Association is a voluntary agreement not to do certain things; not to import or to export certain goods after a certain date. No law that I know of compels me to import or to export."

"No law requires you to import or to export, very true. But does any law require *me not* to import or export? Certainly no law of the British Parliament or of New York Province obliges me.

But suppose I exercise my lawful privilege of importing after the date fixed? What then? Will not your Association compel me not to import, or try to do so? Are not your committees pledged to inspect the customs, to seize my goods, and to sell them at public auction for the benefit of the starving mechanics of Boston? I tell you your Association erects a government unknown to the law; a government which aims to exert compulsion on all citizens. When I am given a coat of tar for violating the Association, will you still say it is a *voluntary* Association?"

"I think little compulsion will be necessary," Mr. Wynkoop replied. "The continent is united as never before; and when the British people realize that, and when British merchants find markets wanting, ministers will be made to see reason."

"You signed the Association, I hear."

"I did, sir. I was opposed to it as Mr. Jay was, but when it was finally carried we both signed it. Once adopted as expressing the policy of Congress, it seemed useless to advertise our divisions, and so weaken the effect of the measures taken. Congress has decided. The important thing now is not what policy Congress should have adopted; the important thing now is for all to unite in

support of the policy which it has in fact adopted. If the Colonies present a united front to Britain, as they will do, Britain must yield."

"My advice," old Nicholas said as we went into dinner, "is to drop it. And don't say I didn't warn you."

Over our after dinner wine the matter was gone into at greater length. I said but little, no more than to throw in a remark now and then to keep the argument alive; for I felt that the opposition of old Nicholas would do more to keep Mr. Wynkoop in the right frame of mind than anything I could say. Be that as it may, I left the house well satisfied; for whether it was the dinner, or the wine, or the truculent arguments of old Nicholas, or all of these combined, I felt sure that the total effect of the evening had been to confirm Mr. Wynkoop in the conviction that the Association was a wise measure, well calculated to bring Britain to terms.

As Mr. Wynkoop had anticipated, little compulsion was necessary to secure the observance of the Association; the threat of confiscation, on the authority of the Committee of 60, of which Mr. Wynkoop was a member, was quite sufficient, save in the case of certain obstinate but negligible traders. And at first it seemed to many that the

measures taken would produce the desired effect, for in February Lord North introduced his famous Resolution on Conciliation. I thought the Resolution signified little or nothing, and when in April the news came from Lexington I was not much surprised. It meant war to a certainty, and my first thought was to learn what Mr. Wynkoop would make of it. Curiously enough, with that faculty he had for moulding the world close to the heart's desire, Mr. Wynkoop found some satisfaction in this untoward event. War with Great Britain—no, he would not pronounce the word prematurely. He spoke of the Lexington affair as a repetition of the Boston Massacre, seemingly more serious only because America was now prepared to defend its liberties with arms in its hands. I was delighted that he could take it so; for it convinced me that we might still carry him along with us. The Assembly of New York was too lukewarm to be depended on, half the members or more being frankly Tory, so that we found it convenient to organize a Provincial Congress, composed of delegates elected under the supervision of the Committees, in order to take charge of affairs and keep New York in line with the continent. The most advanced party was already suspicious of Mr. Wynkoop's loyalty;

but the moderate men saw the wisdom of winning his support if possible. Mr. Jay and Mr. Alsop were especially keen to have Mr. Wynkoop serve in the Provincial Congress, and they asked me to do what I could to obtain his consent to stand as a candidate.

I did what I could, and I flatter myself that my representations had some influence with him. Knowing his admiration for Mr. Jay, I put it to him as a thing strongly urged by that gentleman.

"Mr. Jay thinks it the more necessary," I said to Mr. Wynkoop, "for men of your sound and moderate views to serve, since the Mechanics are every day gaining headway, and at the same time many men of standing are withdrawing altogether. There is a twofold danger to meet; we must keep the province loyal to the cause, and we must prevent the levelling ideas of the New Englanders from gaining the ascendancy here. If men of your standing refuse to direct the affairs of the colony in these crucial times we shall surely succumb to one or the other of these evils."

"I understand that very well," Mr. Wynkoop replied, "but the decision is not, as you know, an easy one for me."

"Your difficulties are appreciated, and by no one more than by Mr. Jay and all his friends.

But it is precisely for that reason, as they point out, that we need your support. Old Nicholas is known to be Tory, and it is much commented on that the Van Schoickendinck Interest is largely lukewarm if not actually hostile. The family Interest is a powerful one, and if you are cordially with us it will do much to bring over many who are hesitating. Your responsibility is the greater, as Mr. Jay rightly says, because of the fact that you will carry with you, one way or another, a great number."

"It is very flattering of Mr. Jay to say so."

Mr. Wynkoop had a great respect for Mr. Jay's judgment—had always had. He consented to stand, and was elected. Throughout the summer of 1775 he attended the sessions of the Provincial Congress faithfully, giving his support to those who were endeavoring to hold the province to a sane middle course—enforcing the Association; raising a militia for defense; keeping the door carefully open for conciliation. Old Nicholas charged him with being too much led about by Mr. Jay. Mr. Wynkoop naturally replied that the notion was ridiculous. What kept him to the mark I feel sure was the feeling that his views and his conduct had been hitherto justified by events, and were now justified by

Lord North's Resolution on Conciliation. On this he placed all his hopes. Unacceptable Lord North's Resolution was, he told me on one occasion; but he regretted that the Congress at Philadelphia had seen fit to pronounce it "unseasonable and insidious." When bargains are to be struck, Mr. Wynkoop said, politicians do not offer everything at the first approach. The Resolution proved, he thought, that Lord North was preparing to retreat, as gracefully as possible no doubt. Meantime the policy adopted by the Philadelphia Congress Mr. Wynkoop thought eminently satisfactory; the Resolution on Taking up Arms was admirably phrased to convince Britain that America would defend her rights; the Petition to the King admirably phrased to prove her loyalty. Throughout the summer and autumn Mr. Wynkoop therefore held the same language to men of extreme views —to the over timid and to the over zealous: the Petition's the thing, he said; it will surely effect the end desired.

Hope delayed makes the heart sick, it has been said. But I think this was not the effect on Mr. Wynkoop. On the contrary, I am sure that for four months he found peace of mind by looking forward to the happy day when the king would

graciously make concessions. I had little expectation of any concessions, and it was no great shock to me when the news arrived in November that the king had not even deigned to receive the Petition, much less to answer it. But I knew it would be a heavy blow to Mr. Wynkoop; and when the British government, placing an embargo on American trade, proclaimed America to be in a state of rebellion, it is not too much to say that Mr. Wynkoop's little world of opinion and conduct, held together by recollection of the past and hope for the future, was completely shattered. For a month I saw him scarcely at all. He rarely went abroad, even to attend the Provincial Congress. He must have sat at home in seclusion, endeavoring to adjust his thought to the grim reality, gathering together as best he could the scattered fragments of a broken faith.

During the winter of '76 I saw him more frequently. We often discussed the situation at length. The time for discussion, for discussion of the past that is, seemed to me to be over. But Mr. Wynkoop was seemingly more interested in discussing what had happened than in discussing what ought now to be done. At first this puzzled me; but I soon found the explanation, which was that he knew very well

what had to be done; or at least what he had to do, and was only engaged in convincing himself that it had been from the first inevitable, that the situation that now confronted him was not of his making. His one aim from the first, he said, and he said it many times, was to prevent the calamity now impending. I know not how many times he reviewed his past conduct. Short of tamely submitting to the domination of Parliament, he was forever asking, what other course could America have followed but the one she had followed? What other course could he have followed? If America had appealed, not to force but to reason, was this not due to the efforts of men of substance and standing, men of Mr. Wynkoop's class? If Mr. Wynkoop and all his kind had washed their hands of the affair, would not the populace and their hot headed leaders long since have rushed America into violence, and so have given Britain's measures the very justification which they now lacked?

In all this I quite agreed with Mr. Wynkoop. I assured him that his conduct had always been that of a wise and prudent man, and that if events had disappointed the expectations of prudent men, the fault was clearly not his. Responsibility lay with the British government, with

those mad or unscrupulous ministers who, wittingly or unwittingly, were betraying the nation by doing the will of a stubborn king. Mr. Wynkoop found consolation in the thought that since ministers had appealed to the sword, the decision must be by the sword. Fight or submit, they had said. The alternative was not of America's choosing, nor of Mr. Wynkoop's choosing. Could America submit now? Could Mr. Wynkoop submit now? Whatever he might have done a year ago, two years ago, could he now tamely submit, bowing the head like a scared school boy, renouncing the convictions of a lifetime, advising the friends with whom he had been associated on committees and congresses to eat their words, to cry out for mercy, saying that they did not mean what they said, saying that it was only a game they were playing. "I have made commitments," Mr. Wynkoop often said to me. "I have given hostages." This was true, and this I think was the consideration of greatest weight with him; he could not deny his words and renounce his friends without losing his self respect.

War with Great Britain! Mr. Wynkoop was forced to pronounce the word at last. But independence! That was the hardest word of

all. Yet the word was in the air, passing from mouth to mouth behind closed doors and in the open streets. I had long since accustomed myself to the idea, but Mr. Wynkoop hated the thought of it, said he had never desired it, did not now desire it—"unless," he admitted as a kind of after thought, "the Britain I have always been loyal to proves an illusion." It was this notion, I think, that enabled Mr. Wynkoop to reconcile himself to the policy of separation. The Britain of his dreams was an illusion. The Britain he had known did not exist. In those days we were all reading the fiery papers of Mr. Paine entitled *Common Sense.* I know that Mr. Wynkoop read them, and I fancy that they helped him to see Britain in her true colors.

"I like neither the impudence of the man's manner nor the uncompromising harshness of his matter," Mr. Wynkoop once said to me. "Yet it seems that events give only too much foundation for his assertion that we have deluded ourselves in proclaiming the advantages of the connection with Britain. I can't agree with him that the loyal and respectful tone of our pamphlets and petitions is no more than mawkish sentiment; but I do wonder if the alleged benefits of the union with Britain are but figments of the

imagination. It is hard to think so. And yet what now are those benefits? We must surely ask that."

Thus in the long winter of '76 Mr. Wynkoop repaired the illusions by which he lived, reconciling himself to the inevitable step. At this time he saw little of Mr. Van Schoickendinck—it was too painful for both of them, I dare say. At least their last conversation I know (it was by Jeremiah's express invitation that I was present) was a trying one. It was on the 30th of May that we found old Nicholas in the hall of his house, standing, leaning on his cane, evidently much moved.

"I asked you to come," old Nicholas said after greeting us a little stiffly, "because I must know what you purpose to do. General Howe is about to take New York. The Philadelphia Congress is about to declare a separation from Great Britain. The so-called Provincial Congress of New York will hesitate, but it will probably support the measure. Am I to understand that you will burn your bridges and side with the rebels?"

With great seriousness and gravity, Mr. Wynkoop replied:

"I wish you to believe, sir, that I have given

the matter every consideration in my power; and it seems to me that I can't do other than go with America. America is my country, and yours too, sir."

"America *is* my country." The voice of old Nicholas was shrill. "I have no great love for Britishers, as you know. Damn them all, I say! But I am too old to meddle with treason. Especially when it can't come to any good. Either we shall be crushed, in which case our last state will be worse than our first; or we shall succeed, in which case we shall be ruled by the mob. Which is better, God knows. What I can't see is why you have allowed the fanatics to run away with the cart. Fight if you must, but why close the door to reconciliation by declaring an independency?"

"We can't fight without it, sir. That's the whole truth of the matter. I was much against it, and so were most. But the necessity is clear. First we refused to trade, hoping that Britain would make terms as she had formerly done. Instead of making terms, Britain closed our ports and prepared to make war. To fight we must have supplies and munitions. We must have money. We can get none of these things without reviving trade; and to revive trade we must have

allies, we must have the support of France. But will France aid us so long as we profess our loyalty to Britain? France will give money and troops to disrupt the British empire, but none to consolidate it. The act of separation will be the price of a French alliance."

"Am I to understand that the act of separation is not to be seriously made, except to buy French assistance? That you will let France go by the board as soon as Britain is willing to negotiate?"

Mr. Wynkoop did not at once reply. After a moment he said,

"No, I would not say that, sir. The act of separation is intended for Britain's benefit too. It will make it plain that we mean what we say—that we mean to defend our liberties to the last ditch if necessary. Yet I hope, and believe, in spite of all, that it will not come to that."

For a long moment old Nicholas stood stiff and silent. Suddenly extending his hand, but turning his face away, he said,

"Well, good by. Our ways part then."

"Don't say that, sir."

"I must say it. I must remain as I began—a loyal British subject. You have ceased to be one. I am sorry to have seen this day.

But I must submit to necessity, and you must too."

Slowly old Nicholas ascended the stairs, tapping each tread with his cane. Half way up, he cried out, as if in anger,

"Good bye, I say!"

"God keep you, sir," was all Mr. Wynkoop could find to reply.

Mr. Wynkoop afterwards told me that he spent a sleepless night in his half-abandoned house. In anticipation of General Howe's arrival he had already begun to move his effects out of the city, into Westchester County, near White Plains, where the Provincial Congress was adjourned to meet on July 2. With the business of settling his personal affairs to the best advantage he was so fully occupied that he did not attend the Congress on the opening days. But on the afternoon of the 9th of July he took his place, a little late. Slipping quietly into a vacant chair just in front of me, he was handed a copy of "A Declaration by the Representatives of the United States of America, in Congress Assembled." The chairman of a committee, appointed to report on the validity of the reasons given for separation from Great Britain, was reading the document. We listened to the felicitous and now familiar phrases

—"hold these truths to be self-evident"—"just powers from the consent of the governed"—"right of the people to alter or abolish it"—

"Who are the people?" I heard Mr. Wynkoop murmur to his neighbor.

His neighbor, not hearing or not understanding him, whispered behind his hand,

"This is not an easy time for you, I dare say. Mr. Van Schoickendinck can't be induced to join us." The last a statement rather than a question.

"No," Mr. Wynkoop said. "He will go Tory. He will not oppose us. His sympathies are with us really, I think. He is thoroughly American, with no great love for Britain. But he is old—he will go Tory."

"The Declaration will carry, I think."

"Yes."

"It seems well phrased. Jefferson's pen, I understand."

Presently the chairman, having finished the reading of the Declaration, read the report of the committee. "While we lament the cruel necessity which has made that measure unavoidable, we approve the same, and will, at the risk of our lives and fortunes, join with the other colonies in supporting it."

The report of the committee was carried, unanimously, a bare majority being present.

Whereupon a member begged leave, before proceeding to other routine business, to make a few remarks. Permission being granted, the member spoke of the decisive step which had just been taken; of the solemn crisis which confronted all America; of the duty of meeting that crisis with high courage, with the indomitable perseverance of freemen fighting for their liberties. "The time for discussion is over," he said. "The time for action has come. Once thoroughly united, we cannot fail, and if we triumph, as we shall, a grateful posterity will recall these days, and do honor to the patriotic men whose conduct was inspired by the spirit of freedom. God grant we may so act that the spirit of freedom will ever be synonymous with the spirit of '76!"

In the perfunctory applause which greeted these remarks, Mr. Wynkoop joined, as heartily I think, as . . . .

(*Here, most unfortunately, the manuscript ends. What the conclusion of the story may have been, if indeed it ever was concluded, will probably never be known.*)

ADAM SMITH AND THE SPIRIT OF '76

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ADAM SMITH AND THE SPIRIT OF '76

I. INTRODUCTION

I have the interesting task of speaking of a great man and a great individualist at a time when the "great man" theory is under a cloud and individualism is more than a little on the defensive. Perhaps it would be more stylish, as well as less hackneyed, to claim that Adam Smith was not a great man: that he merely came on the scene at the predestined moment when the materials of the individualistic case had been prepared by other pioneers and lay ready to his hand; when the spirit of the time was ready to receive the message, and when all he had to do was to put the materials together in a none-too-consistent structure. This is substantially true, save for the belittling implications drawn from it. Or I might emphasize the obsoleteness of his doctrines, picturing them as bygone landmarks in the history of human error.

But I am not interested in waxing iconoclastic in either of these ways. It is, of course, too much to expect of any man that he prepare the raw materials of a great social philosophy as well as put them together: social thinking does

not grow in that way. We may, if we like, consider Smith merely as representative of all the thinkers whose work went into his synthesis: this would neither detract from the usefulness of his synthesis as a focussing point, nor disparage the merit of his own personal contribution.

I have also an interesting task in speaking of the "spirit of '76" at a time when the historical higher criticism has been busily dissipating the sacrosanct atmosphere with which we have enveloped that spirit. But we should not really have felt so badly about it as the higher critics expected us to feel. Adult minds should not be shocked to be told that Thomas Jefferson did not receive the Declaration of Independence from above, graven on tables of stone; or that the Constitution is a resultant of the pulls and hauls of conflicting interests. Indeed, it is easier to see the relation between Adam Smith and the fathers of our own country if we attach less emphasis to the dogma that all men are created equal, and take the more realistic view which focuses on actual interests, wrestling with an actual situation. We have to deal with two phases of a revolt against the mercantile-colonial system, on behalf of a more inclusive view of welfare, embracing the unrepresented classes.

But this revolt was itself only a phase of a much larger movement which seems on the point of completing a full swing of an historical spiral, so that we can look back upon it today with a clearer sense of "whence" and "whither" than has been possible before. Mediaeval economic life was organized in small units which were real economic communities and recognised themselves as such, imposing positive community obligations on their members in accord with the positions they filled. They were moralized communities, though the morality was of the customary sort and unsuited to any but a static society. With the coming of modern times these moralized communities gave way to national economic units which were neither communities in the full sense, nor moralized. Class interests, selfish if not predatory, contended for the reins of control, freed from the restraints of the outworn customary morality. Then came the period of negative morality, expressed in the doctrine of "natural liberty," suitable to a decidedly atomistic society in a period of readjustment, and taking care of a considerable section of the interests involved, building up a partial community; but never capable of taking care of all the interests or of building a complete economic

community. Then comes the present period of integration and interdependence; in which we must either see our civilization collapse, or develop moralized communities on a national or international scale. And the morality must be one of purposeful cooperation, not resting on custom alone, but free enough to adapt itself to endless and kaleidoscopic change in methods of production, and the even more difficult changes in the needs and powers of different classes. Truly a difficult task!

In this swing around the spiral, there were many forces at work and various stages of transition, each leading naturally to the next. There is a growing intelligence, and the demand for liberty to make use of it. At first this concerned only a few; capable classes and individuals pursuing their particular interests. But as intelligence diffused itself more widely, there came deeper stirrings of humanitarianism and democracy, until now we can only be satisfied with a liberty in which all shall have a just part and a just share in the benefits.

This of course requires limitations on liberty, else the strong can extinguish the liberties of the weak. A partial reconciliation was afforded by the theory and practice of individualism, liberty

being limited by the laws of personal and property rights, which were the same for all and before which all were, in theory, equal. These were taken for granted as "natural" by early individualists, to such an extent that they were not regarded as limitations on liberty at all. But this uncritical attitude could not survive the growth of the scientific point of view, combined with the transformation of industry itself by scientific methods of production. This has welded us into an economic community, in which private transactions vitally affect the interests of the whole, in ways which the traditional institutions of property and personal rights are powerless by themselves to correct and to moralize. And this situation is forcing upon us the next major step in economic evolution.

It will be my task to try to present the great work of Adam Smith in its relation to this larger movement, for otherwise we shall not only fail to understand it but fail to appreciate its true worth and to appraise its different elements in their true proportion. Thus the radio and giant power must help us to understand the significance of Adam Smith's pin-factory, and we must search evolutionism and psychiatry for light on the true meaning of his "unseen hand." To explain him

we must look at the conditions of his time and at what went before: to evaluate him and interpret him we must also look at what has come after.

II. AN ENVIRONMENTAL INTERPRETATION OF ECONOMICS

What is here suggested is essentially an environmental interpretation of economic thought, though not a complete one. It deals with the relation of that thought to the larger conditions of its time rather than to the more intimately personal factors of birthplace, family atmosphere, and local conditions and events surrounding early life. Not that these are unimportant; far from it. Smith was in the current of a notable revival of liberal thought in the Scotch universities; Hutcheson was his teacher; and David Hume a friend of his formative years. He had an Oxford education (such as it was at that time) and the advantages of personal contacts with thinkers in other countries. He had every opportunity to come to grips with the practical issues and the progressive thought of his time. But in interpreting a man of Smith's large grasp and wide awareness these more personal features tend to sink into the background.

The balance of forces in social life is continually

shifting; between the few and the many; king, nobles, and common people; between authority, science, and popular opinion or free personal choice; between the need of common action and the power of individual initiative; between capital and labor, etc. Existing institutions set the mold in which forces act, and govern their relative opportunities. And with the familiar fact of institutional lag, they are likely to be adapted to the relative forces as they were when the institutions took shape a generation or a century or more in the past. They give weight to certain forces, usually not in proportion to their present strength or capacities.

Social thought may follow this emphasis, giving weight to those forces which are dominant in the institutions of the time. Then it is conservative. Or it may emphasize those forces which may become dominant in the millennium. Then it is utopian. Or it may emphasize those forces which are now in existence but to which the prevailing institutions give inadequate outlet and recognition in proportion to their present importance and force. Then it is radical or progressive and becomes the keynote of forward movements. Of this sort was the social philosophy of Adam Smith.

And what happens if the theory succeeds and new institutional adjustments are made which give the new forces the recognition for which they have striven? Then the theory passes into another stage in which it becomes the gospel of things as they are: a conservative rather than a radical force. Its continuing growth is likely to be self-perpetuating, new developments building on the theory and carrying it on to its logical conclusions. As to the disturbing forces of the new era, theory is likely to adapt itself to these rather than make them its keynote. And ultimately the process has to be repeated.

In all this it is worth while emphasizing that the new theory, while it may be in accord with the manifest destiny of the time, does not therefore necessarily weight things exactly according to their present force or importance. It must emphasize the things the age does not yet see, not those on which it is consciously grounded. Thus when Alfred Marshall speaks of self-reliant, deliberate, foresightful judgment as a fundamental characteristic of modern industrial life, he is presumably moved chiefly by the fact that this quality is fundamental to an understanding of our more recent and conscious social adjustments. In support of this interpretation one may

note that his "fundamental" characteristics are chiefly those which distinguish this age in contrast to previous ages.[1] But this fact quite naturally and rightly caused the individualistic forces to play a larger part in the conscious theory of the nineteenth century than all other forces. Emphasis in theory is a function of recency of recognition more than of absolute importance in the working scheme of things.

Viewed from this standpoint, Adam Smith stands as the great interpreter of those forces of individualism and free enterprise which, in his day, stood on the threshold of their great era of power, straining at the leash of an institutional system which gave them far less room than their importance justified; less scope than they were capable of making use of. Was it mere coincidence that he expressed an individualistic bias at just that pregnant time? Such things may happen, but I cannot but think that generally the explanation is more than coincidence. There is undoubtedly such a thing as a bias toward the appreciation of the newer forces of one's age, whatever they may be, and the expression of their unachieved possibilities. A man possessed

[1] See *Principles of Economics* (5th Ed.), pp. 5–10.

of this bias, and of the genius to carry out its promptings, would be an apostle of progress in almost any age, though it is given to but few to stand at the changing-points of great eras, as did Adam Smith. And the character of Smith's writings as a whole bears witness that he was of this type and that his progressive hold on the hampered forces of his age was the most fundamental thing about him; more fundamental even than his more particular bias toward individualism. If this be true, then to a different age he might have borne a very different message.

One aspect of this method of interpretation may be expressed in the maxim: to understand any forceful writer and to make the necessary allowances, find out what it was against which he was reacting. You may then expect to find the value of his message in the direction in which he is swaying the thought of his time, not in the exact distance to which he may carry it. As Smith himself said, "if the rod be bent too much one way, in order to make it straight you must bend it too much the other." He made this remark of the Physiocrats' emphasis on agriculture, but it applies as well to the emphasis on liberty which Smith and the Physiocrats had in common. Furthermore, the errors and excesses of the

prevailing system may be diagnosed by observation; but the corresponding errors and excesses of a system which is advocated and is not now in full force, must be largely matters of conjecture. Thus theories are more than likely to have greater scientific validity as reactions away from previous error than as embodiments of ultimate truth: they serve better to indicate a direction of motion than a final goal.

In following out this approach, let us now look at Adam Smith in more specific relation to the situation in which he wrote.

III. ADAM SMITH'S ENVIRONMENT

In the year 1776, Adam Smith's "Wealth of Nations" was published, the American Declaration of Independence was signed, and Watts' steam engine was nearing the stage of practicable completion. Doubtless the heavens showed other portents, but these three events were enough to mark the end of the first era of modern nationalism and the beginning of the second, which seems in turn to be giving way to a third. The Wealth of Nations set up the first generally acceptable philosophy of free enterprise; and the secession of the American colonies, besides being a fatal blow at England's former restrictive sys-

tem, gave free enterprise a continental area to work in, free of trade frontiers so that it may be said to have come into its own despite its failure to exterminate the theory and practice of international protectionism. And the steam engine made use of its charter of liberty to conquer the world, ushering in a very different system; involving interdependent interests and reciprocal obligations on a vastly wider scale than ever before, and requiring more positive, conscious, and far-reaching control than even the system of Mercantilism had succeeded in furnishing; but directed by different interests and to different ends.

The epoch which was coming to its close in 1776 was that of dynastic-aristocratic nationalism: the dark ages of modern times. It had passed through the heroic days of idealized buccaneering typified in Francis Drake and had subsided into the more commercialized, calculating and materialistic attitude which characterized the first half of the eighteenth century. One of the dominant forces was war, and the mutual rivalries of the various nations, viewed from the standpoint of dynastic aggrandisement and with war never far in the background. Such nations naturally did not think in terms of mutual

advancement in their dealings with one another; rather, a nation felt that it gained from the losses of its rivals, apart from its own absolute advancement in wealth or welfare. A large population, national self-sufficiency, and industries subserving the army and navy: all were ends in themselves, while a high level of wealth for the masses was not a goal of national policy but—strange as it may seem—rather the opposite, as expressed by numerous candid spokesmen of the dominant undemocratic materialism.[2]

Socially, education was still the privilege of the few, and the common people were rather frankly regarded as instruments of production, food for powder, and means of sustaining the elegance of the gentry. The state of humanitarian feeling is exemplified by the fact that the death penalty for common theft was still on the statute books. Liberty could have little meaning for the great majority. The chief practical exponents of increased freedom were the mercantile classes, and the liberty for which they spoke was not general liberty but particular liberties in which they had an interest. The increasing liberty of the masses,

[2] See Furniss: The Position of Labor in a System of Nationalism.

largely expressed in the substitution of the wage system for the feudal status, was hardly an articulate movement. It was a condition to be dealt with, rather than a positive element in the dominant philosophy of the time. Liberty of thought, however, already existed to a large extent in England, though in France the Mercantilist Abbé Galiani defined eloquence as the art of saying everything without going to the Bastille.

Politically, the government was largely in the hands of the landed aristocracy, though seats in Parliament were marketable commodities which members of other classes were able to purchase. The methods of filling positions of public trust were marked by a certain genial inappropriateness which was saved from worse results chiefly by the fact that the landed gentry in their blundering and amateurish way still showed a well-meaning conscientiousness about fulfilling the responsibilities which their station placed upon them. (In France, the lack of this saving quality paved the way for the revolution.) Commissions in the army were bought and sold, prisons were farmed out, and of government as a tool adapted to the enlightened discernment of social needs and the efficient prosecution of them, there was little trace. For such tasks the gov-

ernment of the time was not fitted; even less so than the government of today.

On the economic side, one of the great features of the period was the coming-in of money and the money economy: that great force for the breaking-up of feudal status and the setting-free of interests to find new levels based on a new type of power. By enabling the king to finance a national establishment and a standing army and make his power secure against the great lords, it may be said to have begun that three-cornered jockeying for power between king, nobles, and commons out of which came ultimately universal suffrage. Through the commutation of feudal dues the money economy meant a great stride toward the freedom of the masses. By building up a great merchant-capitalist class it unsettled the balance of classes, creating a demand for wider political rights at the expense of the landed gentry. Successful traders also bought their way into the landed aristocracy and altered the mores of exploitation, with results at once stimulating to agricultural efficiency and often calamitous to the tenants, whose landlords had not formerly acted as "economic men." The flood of specie from the new world flowed through Spain, bringing great wealth and drawing the other

nations into a conscious struggle to secure their share.

Commerce on a national and international scale was being superimposed on the simple handicraft system of manufacture, and the capitalist employer was making his appearance, working largely under the domestic system. The factory system was in its infancy just as this period was coming to an end. Commercial contacts between nations were sufficient to occasion friction and rivalry, but not sufficient to build up a vital interdependence.

As for economic ideas, there was no generally accepted philosophy of trade as a mutual gain; rather it was something needing to be constantly controlled in order that it might produce proper results. Control was less intimate and complete than in the Middle Ages, and directed by different agencies. The primary objectives were national, centering in warlike strength, self-sufficiency, a large population and an adequate supply of specie. But the interests of particular classes, especially the growingly powerful merchants, made themselves felt to modify prevailing policies. Thus there was originally an extreme hostility to any trade which might take specie out of the country, resulting in crude and un-

workable restrictions. And the theory of the "balance of trade" appears to have served the purpose of rationalizing the traders' desire for a greater measure of freedom and harmonizing it with this older preconception as to specie. It also fitted in with the interest of the growingly powerful manufacturing class, who naturally regard imports as calamities and exports as the gauge of prosperity. In their case, of course, this view rests on other things than a desire to get money into the country. Thus the balance-of-trade theory may be said to have meant different things to different interests.

Incidentally, it involves a rudimentary form of scientific economics, examining the natural laws of trade from the standpoint of a given national objective, in order to see how that end could most effectively be furthered. It is essential to keep in mind that this balance-of-trade doctrine, the focussing point of mercantilism, was, historically, not a defense of restrictions but a rationalization of an urge toward greater liberty: an urge which was not likely to stop content with the precise measures which this particular theory upheld. It is further essential to remember that this theory was but a part of the basis of the many-sided system of Mercantilism. This system in-

cluded the double ideal of a political unit containing the means of feeding and clothing itself and equipping armies and navies, while at the same time the country sought to develop those concentrated forms of production which employ a dense population and bring much wealth within a limited area. Such industries depend on foreign markets and on wide-spread sources of supply of materials. Where colonies were available, these two desiderata could be reconciled by drawing materials from them and using them as markets. The defense of the American colonies proved costly—hence the attempt at taxation which provoked the Revolution—but back of this lay all the irritation produced by the entire scheme of prohibitions on manufacture and leading-strings for trade.

Meanwhile pioneer apostles of liberty in a more general sense were uttering protests, and the vogue of the French Physiocrats argued a readiness of the world to listen to a positive philosophy of liberty, even in an outlandish guise.

This, then, was the situation and these were the issues, at which Adam Smith's thinking was directed. And his mind grasped them largely, constructively and on the side of human progress. He was great in the sense of being the

child of his time, but the child of its unsatisfied urges rather than of its established complacencies. He was a realist who never forgot such facts as the existence of classes, but his standards of welfare looked beyond mere present power and took in the welfare of the undistinguished masses, giving them in an unobtrusive way more fundamental weight than the ambitions of the rich. In this, he was not merely in step with his time, but rather in advance of it.

IV. ADAM SMITH'S DOCTRINES

It was, in fact, one of Smith's great services to expose mercilessly the false standards of national policy which served to mask the selfish interests of producing classes, and to set up instead the basic standard of producing more goods for everyone to consume. Money, instead of being a great desideratum, was a mere tool, of which it was as wasteful to use more than was necessary, as it would be to use two wagons to haul one load. This dethroning of money as an end of all things may have carried with it a certain underestimate of its importance as a tool; a mistake which we are now attempting to rectify. Exports were not good in themselves, nor were imports in themselves forms of economic calamity; rather imports

were goods to be consumed, and exports were the means of securing imports and paying for them.

Smith does, in fact, represent a distinct move toward the standard of the "good of the greatest number," though he does not crystallise it, as Bentham later did, in an arithmetic calculus of happiness in which every person counts as one. He does say, in the "Theory of Moral Sentiments," that "Our regard for the multitude is compounded and made up of the particular regards which we feel for the different individuals of which it is composed." He does not say that all these individuals are equal, though he does consider the difference between a philosopher and a street-porter largely due to environment. He also urges that it is only just that those who feed, clothe and lodge the whole society (meaning laborers) should themselves be tolerably well fed, clothed and lodged. And he nowhere expresses similar solicitude for the consumption of the rich!

On the other hand, while he revels in puncturing the fictions of Mercantilism, he recognises national ends as vital: "Defense is more important than opulence," and economic measures looking to this end are justifiable. They must, however, appear in their true colors and not pose as means of economic gain when they really in-

volve an economic sacrifice in the interest of a more important end. Smith justifies the Navigation Acts, and the rivalry between England and Holland is constantly before his eyes. While he does at times suggest viewing the world as one economic society, he thinks prevailingly of those societies we actually have. He is predominantly a nationalist because he is predominantly a realist.

But perhaps the strongest single feature of Smith's work is the strengthening of its claims to scientific standing by the theory of value and distribution which forms, in one sense, the backbone of the book. Here again his realism is evident, for it is exchange value with which he is dealing. Anything is productive which yields commodities having exchange value; and the "annual revenue of the society" consists of the "exchangeable values" of the commodities produced. This is not the same thing as their utility, for things are not valuable in the measure of the utility they possess. But it means something more than mere ratios of exchange, for Smith devotes a chapter to "the real and nominal price of commodities," and selects as the measure of real price the labor a thing will exchange for, apparently because that is the best available

measure of disutility. Thus value, while not measuring utility, still has a close relation to the human importance of things.

This labor-measure of values has little or nothing in common with the Ricardian theory that labor-cost of production determines exchange values, which became the direct basis of Karl Marx' theory of surplus value. This elaborate structure of reasoning finds no basis in Smith, save possibly one or two shadowy and doubtful suggestions. What he does say, quite simply, is that labor is the source of wealth and that profits and rent are deductions from labor's product. Wages are high in the American colonies because these deductions have not yet grown heavy. This has nothing to do with value theory, and is hardly to be looked at as a scientific proposition at all: merely a common-sense view of a common fact.

Did Smith's theory of value, as is claimed, afford the unifying element which gives his thought the coherence and dignity of a scientific system and so raises his advocacy of individualism above the level of mere opportunistic controversy and gives it solid ground as a body of enduring principle? Certainly it had the appearance of doing all this, and thus lent weight to the

case against Mercantilism. But Smith's theory of value was not sufficiently coherent or complete to afford a permanently adequate foundation, and from our present standpoint his individualism would be weakened, rather than strengthened, by being made to rest on this as its sole foundation. And aside from the weaknesses of the theory itself, there are conspicuously weak links in the chain of connection between it and the individualistic philosophy.

The annual revenue of the society consists of the exchangeable value of the commodities produced; and a large revenue of this sort is desirable, though admittedly it does not measure the utilities received. This end is to be promoted by putting in motion as much productive labor as possible, and allotting it between the different branches of production in accord with the strength of the respective demands. This idea of putting a quantity of productive labor in motion is in rough harmony with his labor-purchase measure of value, but not in absolute agreement. It could only be so if he had held the Ricardian labor-theory of value instead of the one he did hold. But demand as a criterion of what is socially desirable remains unsupported, hanging in the air. Thus, under critical exami-

nation, Smith's rule of laissez-faire finds but weak support in his theory of value.

It is more directly supported by a number of more practical observations. Smith noted that scarcities of foodstuffs seldom degenerated into famine if supplies were free to distribute themselves in response to demand; or rather, he noted that where famines occurred, there was always some obstacle to the free movement of supplies from less afflicted regions. As to standards of workmanship, he stated that the customer is the best source of trade discipline: better, that is, than the rules of guilds or of national officers. Would he have maintained this faith in the modern era of synthetic substitutes and jerry-building? He argued that freedom of international trade brought the consumers more goods and cheaper. He claimed that competition tended to bring profits to their "natural" level and to equalize the "real attractiveness" of different occupations. And he reasoned that under free enterprise capital would seek first those occupations in which a given amount of it would set the largest amount of labor in motion: this being in the public interest and also the way to the largest profits. This last is apparently a divinely happy coincidence, rather than a logical

necessity: certainly it seems to have no clear dependence on the theory of value.

This brings us to a more fundamental question. Was Smith's individualism the logical result of his explicit premises, or a generalization from observation, or simply the result of his underlying faith in the "unseen hand?" While no final answer can be given, it seems fairly clear that logical deduction was of little if any formative significance. So far as shows on the pages of "The Wealth of Nations," one must conclude that direct observation is the dominant element. But certain significant passages in his other writings, especially the "Theory of Moral Sentiments," force one to admit the probability that the "unseen hand," behind the scenes of Smith's economics, still did much to shape their character and especially to sustain his faith over the weak spots which his argument undeniably possessed, viewed as a purely logical structure or even as an inductive one. This appears most clearly in his theory of human nature, to which we may next turn.

Adam Smith's "economic man" is economical but not supremely or successfully rational. The "principle of frugality, generally calm and dispassionate" is inborn and lasts through life while

the "passion for present excitement" is on the whole momentary. This, so far as it meets the issue, impliedly reverses the verdict of the modern biological view. But Smith was as far as possible from holding that individuals intelligently chose and successfully pursued their own interests. One gathers that the only ones who did this, even on the material plane, were the mercantile and capitalist-employer classes, who were able to hoodwink the landlords and laborers. Trade was not originally due to the anticipation of the advantages of the division of labor, but to a natural "propensity to truck and barter," primitive forms being the ceremonial giving and receiving of gifts. This quaint conception has been much ridiculed, but it is, to say the least, no farther from the truth than some of the dealings of the calculating savages which modern utilitarians have put in its place—weighing the labor of making a canoe against a fictitiously exact percentage of increase in the catch of fish. Smith's main point in this matter is that men are not governed by an enlightened calculation of the long-run results of their actions.

Such attempts as they make in this direction are but indifferently successful. They seek wealth as a means to happiness, but are deceived,

since happiness increases little with multiplying riches, though a reasonable competence is the means of avoiding much unhappiness. But nature uses the wealth-hunger of the successful few, not to give them the happiness they seek, but to spur them into productive activities whose incidental result is to increase the modest resources of the many, and remake the face of the world.

Nature, in short, implants desires in man's breast, and in so doing, she "intends always the good of the species," and is wiser in man's behalf than is man's own reason. This general premise did not lead Smith to blink ugly or inconvenient facts: witness his frank comments on the regularity with which traders form monopolies; or witness even more his ruthless condemnation of the effects of monotonous machine labor on man's mind, body and sentiments; ruining him as a father, a citizen, and a potential soldier. No one now would have the hardihood to utter such a denunciation, now that so many of us are condemned to this existence in a world actually supposed to be governed by and for these machine-ridden classes. And it is an admission which is quite serious for Smith's own case, resting as it does on the claim that the justification of indus-

trialism lies mainly in its unintended by-products and diffused effects! It required a strong faith to rise superior to evils so clearly envisaged and so frankly admitted.

But in treating this as an admission we must be on our guard not to lose our historical perspective. As between Smith's theories and the dominant system of Mercantilism, it was Mercantilism which most strongly emphasised the development of town industry; and Smith might well feel that the bad effects of machine industry were, on the whole, points in his favor as compared to his chief adversaries. Be that as it may, the chief lesson for us is that, while Smith found nature wiser on man's behalf than man was for himself, and his instincts wiser than his reason, he had no illusions as to the competence of human reason to guide and control human destiny.

Is there not something here to which we may profitably turn back after too long an immersion in the utilitarianism of Jeremy Bentham? We may not personify nature and we may lack the optimism which made the good outweigh the evil to Smith, who saw some of the evil so clearly. But should we not recognise man for the paradoxical blunderer that he is, and look for our standards of what is good for him in that

deeper-than-rational nature with which his biological past has equipped him; viewing his "rational" strivings as only one outgrowth of that many-sided nature and quite as likely to benefit him by their defeats as by their victories? On the whole, is not Smith closer to the modern view than is much of the over-rationalized utilitarianism of the nineteenth century?

But it is impossible to do justice to all of Adam Smith's doctrines, or even to call attention to his many departures from laissez-faire or his most interesting excursions outside the strict bounds of economics. There is, for instance, his idea that judges should compete for the fees which satisfied litigants would bring them, and his analysis of the benefits the individual receives from membership in small religious sects as over against an established church. More directly related to today's theme is his treatment of the struggle with the American colonies, in which he minimized the burdens laid on the colonists but condemned the restrictions as violations of "natural rights." And he gave decisive weight to the inevitable pressure of the minority of "natural leaders" in the colonies toward a chance to make the most of their talents and position. This affords an almost ironic contrast to the language

of a certain great Declaration which these natural leaders were then on the point of signing. Smith, too, thought men were born (approximately) equal, but his practical mind solved problems in terms of the inequalities they had achieved after birth. He not only argued for giving the colonies (or their leaders) representation in Parliament, but calmly contemplated the time when they would outweigh the British Isles, and when the capital might be moved across the Atlantic!

From this it would be evident, if it were not well known on other grounds, that economics was with Smith far from a sharply defined and isolated body of thought. It represented those arrangements founded on expediency rather than on other motives, and which tended to increase the riches of a people as distinct from furthering other ends. These two lines of demarcation do not, of course, coincide; but this is of little consequence because Smith never limited an inquiry by any preconceived definitions, or by a too-scrupulous fear that it might extend beyond the frontiers of economics proper. Let it begin with an economic question, such as public expenditures or colonial trade regulations, and he would follow it wherever it might lead.

V. THE SEQUEL OF ADAM SMITH'S SYSTEM

The conversion of England to a free-trade policy, so unexpected to Smith himself, is probably to be explained more by the shifting of class interests than by the cogency of Smithian reasoning. As for the merchants, their greatest interest lies in freer trade. This interest is shared even by a monopolistic body such as the East India Company, so long as its particular privileges are untouched. As for the manufacturers, with England taking the lead in the Industrial Revolution they needed no protection. The chief protective policy which could really benefit them was the monopoly of the American market, which they had already lost. And they had a definite interest in the removal of agricultural protection, since they were interested in low money wages, and in cheap food for the workers as a means to that end. Manufacturing was, of course, growing enormously in power at the expense of the landed aristocracy. As for the government itself, it had no longer the same occasion for preoccupation with specie, especially after the ironing out of the mild disturbance of the currency which accompanied the Napoleonic wars. Experience fortified the claims of theory

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that foreign wars are supported by goods more than by money. All these factors helped to make easier the victory of Smith's principles; though they do not in the least detract from the importance of his formulation and the hold it gained on intelligent and liberal public opinion.

There followed the Victorian age, essentially an era of half-recognized transition, viewed simply as "progress." It is the period of increasing enlightenment and popular government; the age of humanitarianism, utilitarianism and the birth of the doctrine of class-consciousness—all alike being ways of reckoning with the interests of the neglected masses. It is an age of quantitative advance in science and production, but not yet awakened to the qualitative changes which these things involve: an age of individualism modified by piecemeal reforms. Its economics is dominated by Ricardo and Mill: its social thinking more fundamentally dominated by the spirit of Bentham.

The most vital feature of Bentham's system, in the long run, was the insistence on judging institutions by their results and treating them as tools for the furthering of social purposes. The full meaning of this we are only just beginning to realise; so slowly does a radical idea reveal its

consequences and corollaries. Next to this comes the democratic-atomistic conception of social welfare as a sum of individual welfares, each individual counting as one. Next comes the identification of welfare with happiness and of happiness with an arithmetic sum on a scale of pleasures and pains; the chief point being that the things individuals actually seek are the stuff of which welfare is made, so that intelligent self-interest and welfare coincide.

This assumption led to an individualism even more absolute than that of Smith, because more abstract and dogmatic. But Bentham's functional view of institutions, coupled with a more modern psychology and ethics, and in the light of modern industrialism, might lead to something very different. Adam Smith took for granted such institutions as private property; while Bentham regarded institutions too much as bits of machinery to be tinkered with at the will of the tinkerer. We are now realising that while they are not eternally natural in any one form, they are the results of natural forces, both of change and of stability. And while we still submit them to Bentham's test, we cannot hope to mend their shortcomings by a light-hearted shifting of gears or substitution of rolls. We

must study them as living things and influence their growth by indirect as well as direct means, expecting many failures and disappointments.

In the light of these new conditions, it may be worth while to indulge our fancy in a well-worn type of query: What would Adam Smith do if he were alive today? What tendencies would he approve: what lines would he follow?

VI. IF ADAM SMITH WERE ALIVE TODAY

Such a question should be a vehicle of rather severe self-examination, but it is also clearly in danger of being warped in favor of the inquirer's own preconceptions, by assuming that the great man of the past would see modern conditions as his present-day interpreter sees them. Some such changes it is fair to assume, but how many? What elements of Smith's attitude should we take as permanent and what things shall we permit him to make new in the light of present facts? We must assume that he would be now what he was in his lifetime, a man in whom the facts, knowledge, and issues of his time found probably more complete expression than in any other contemporary mind. He has been called the most widely informed man since Aristotle, and he would not have lost that characteristic.

In the first place, he would delight in attacking our modern forms of Mercantilism, and our policy on foreign debts and reparations would furnish ample opportunity for his outspoken exposures of sham, inconsistency, and unworkability. But he would lay less paramount emphasis on these matters, recognizing the growth of other issues to an even more insistent importance, especially the issues of industrial relations and of the control of large-scale industry. In fundamental matters of method, he would find a striving among many economists to relate economics more adequately to other aspects of social life, and toward induction rather than deduction. Both of these he would approve, seeing his own methods vindicated. The search for standards of welfare independent of price, and the emphasis on the impulses implanted in man by nature rather than on the all-sufficiency of reason: with these he would be in harmony from the first. On the other hand, he would naturally find himself interpreting "nature" in the light of Darwin rather than of Hume, and he would almost certainly be led to question whether the impulses thus implanted in man necessarily work for his good in an artificial environment such as the present.

He would remain an individualist—of that we need have no doubt—but his individualism would, as before, refer to actual individuals, and he would have no patience with any attempt to apply it uncritically to the pseudo-individualistic dealings of large corporate organizations. He would of course be forced to revise his view that such organizations could not conduct industry successfully and efficiently, but he would treat them as organizations of individuals, not as artificial individuals themselves, and he would ask insistently how well they served to further the interests of the real individuals concerned in them.

He would be alert to new alignments of classes. He would not be a Socialist nor a doctrinaire democrat. He would not belittle government nor would he idealize it as the all-sufficient social agency. Rather he would search the tendencies of the time for interests which have outgrown the avenues of expression afforded by the present system. He would observe and interpret the development of trade associations, unions, and other economic agencies, pointing out their dangers as agencies of class selfishness. He would see the hopelessness of the purely negative policy suggested in the "Wealth of Nations," but he

would be reconciled to the inevitable by his realization of the possibilities of these agencies as vehicles for the expression of interests that could not otherwise be expressed. He would see clearly where the worst perversions of the common interest lie and especially the worst repressions of the liberties of persons. And as over against that, he would accept the best available alternative, even if not perfect.

Having done so, he would probably concentrate on the serviceable features of the best alternative, leaving its admitted shortcomings somewhat in the background, as he did with the shortcomings of laissez-faire. And in this way he would build up a constructive synthesis based on actual economic forces, giving most emphasis to those most in need of development. And his synthesis would be a vital thing, lacking perhaps in logical coherence because of its very pioneer character and its inclusion of varied and conflicting elements; based perhaps on standards of welfare which later generations may question in detail; but furnishing a gospel around which the progressive forces of humanity might organize for the next great steps in economic evolution.

Dare we be more specific? Dare we conclude that he would find the worst repressions of liberty

in large-scale industry working under "free" contract, and the most fruitful alternatives in the growth of moralizing agencies within the industrial structure, backed up by state action? We must remember his remark that laws in the interests of labor are always just, since they must run the gauntlet of a government representing the opposing interests. But we must also remember that at present this characterization of government is no longer so unqualifiedly true as formerly, and that Smith would be forced to modify his statement accordingly.

But whatever his specific conclusions might be, it seems clear that he would find today a situation of no less insistent need, and an opportunity no less commanding, than that which faced him in 1776. The raw materials for a new synthesis would lie temptingly around him; and the place it might fill if successful would be as great as that filled by the "Wealth of Nations." That is the situation and the opportunity which confront us today.

VIRGINIA TAKES THE ROAD TO REVOLUTION

By William E. Dodd

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VIRGINIA TAKES THE ROAD TO REVOLUTION

"The next gale that sweeps from the north will bring to our ears the clash of resounding arms."—Patrick Henry, March 23, 1775.

Under the driving eloquence of Patrick Henry and upon a majority of a single vote, the second revolutionary convention of Virginia decided late in March, 1775, to arm the people as for war, and at the same time chose a delegation of her most prominent and best informed citizens to attend the second continental congress—a congress forbidden by the crown of England, but destined nevertheless to assemble on May 10, 1775, in the calm Quaker city of Philadelphia. Peyton Randolph, speaker of the house of burgesses for a decade and president of the revolutionary conventions of Virginia, if one may call them such, was made leader of the delegation, although he had suffered a stroke of apoplexy. The anxiety of the conservative folk of Virginia was so great, that he felt compelled to go; and the Virginians, both conservative and radical were willing for him to take the risk because it was almost certain that he would be chosen to preside over the second

continental congress, as he had formerly been selected to preside over the first. In spite of the ordinance to arm the colony, the proceedings, and above all the characters of the delegations to congress, showed the community to be moderate, unwilling to break with the mother country upon anything less than the fullest evidence that the colonies were to lose their ancient British liberties. Patrick Henry alone seems to have felt that there was no other remedy but independence.

Governor Dunmore, uneasy soul in a most uneasy situation, looked on these proceedings with the utmost unfriendliness; in a little while he called the house of burgesses to assemble at Williamsburg on the first of June, 1775, in order that he might lay before that body the answer of the British ministry to the complaints of the first continental congress. Anticipating this and concerned about Randolph's health, the convention had chosen young Thomas Jefferson, radical democrat of the frontier and author of a wild pamphlet the year before, alternate to his distant kinsman. Moreover, it would clearly be unsafe to leave Governor Dunmore and the impetuous up-country members to their own devices in Williamsburg. Hence Randolph must

hurry on to Philadelphia, accept graciously the presidency of congress, remain a few days, ascertain the temper of the men from the north, and then journey painfully three hundred miles back to the meeting of the burgesses.

But the other members of the Virginia delegation deserve a little attention. There was old Richard Bland, of the lower James River country, "dry and dusty as ancient parchment," fighter of many battles with the parsons; and his neighbor, Benjamin Harrison, a little more than half as old, rotund and comfortable as became a great planter—a brother-in-law of Peyton Randolph; and Edmund Pendleton, of Caroline, tall, wiry, gentle, learned, and persuasive, a life-long enemy of Patrick Henry; Richard Henry Lee, of Westmoreland, the man of many plantations and more debts, almost as hopeless as Henry of a peaceful solution of the great problem of British relations; and George Washington, great landlord, frontiersman, and hero of the old French war; and of course the veritable son of thunder from Hanover—a most interesting group of Americans, dressed in long swinging coats, adorned with scores of shining buttons, their immaculate small clothes and perfumed silk stockings setting off their calves to utmost advantage; nor may we

overlook their well-poised heads, with hair powdered white and tied nicely in sweet-scented bags —a graceful lot securely mounted on their prancing Virginia steeds, and with happy black boys ever handy and ready to run an errand or saddle a horse. It was old Virginia, gentle, in her best clothes, but sadly troubled by the ills that seemed to multiply with the arrival of every mail from the north.

Nor did the English ease the ways of conservative Virginia. The earl of Dunmore had a formidable war vessel, the *Magdalen*, lying in James River a few miles away; and there was a still greater ship with marines at beck and call twelve miles northeast in the York River, the *Fowey*, with Captain George Montague in command. And the governor himself was but recently returned from the great Indian campaign on the Ohio, where he had put a debt of a hundred thousand pounds upon the distressed colony, and yet failed to release any of the vast tracts of lands west of the Alleghanies to speculators or settlers. Dunmore, with his brusk, autocratic ways, his household of charming daughters, and "impudent" negro slaves about him, was plainly troublesome, running to meet trouble on the way. On the twentieth of April his lordship learning

that the New Englanders were on the verge of war with the British soldiers in Boston, seized a part of the colonial powder in the arsenal at Williamsburg, and had it placed safely in the hold of the *Magdalen*. The fat was in the fire. On the morrow staid and complacent Williamsburg was in uproar, hundreds of the citizens, seizing what rifles or other arms they could lay hands on, demanded the immediate return of the powder. Speaker Randolph had not departed for the continental congress. Robert Carter Nicholas, the colonial treasurer, was in town; and Thomas Nelson, the president of the council, was only a little way off at Yorktown. While the governor gave excuses, Nicholas, Nelson, and Randolph arranged for the return of the powder upon demand; and the governor agreed to give it up upon notice of half an hour. The outraged citizens ceased their clamors and laid aside their improvised arms. The crisis was passed. Randolph made ready his toilet and cleaned his wig to start north, expecting to stop a day with Edmund Pendleton at Bowling Green, fifty miles on the way.

But gentlemen's agreements did not satisfy the people of the up-country. A committee rode hastily into Williamsburg, saying that six hun-

dred horsemen had come down from their hills in northern Virginia to Fredericksburg ready to march upon Williamsburg, attack the governor, war vessels and all, unless the powder was immediately returned to its accustomed place. Randolph, a wise and cautious man, calmed the messengers and persuaded them that all was well, and that the volunteers might return to their corn planting. This advice was not taken, however, till another committee went to Mount Vernon to learn what Washington thought. He too counselled peace and a return to their waiting fields. Then Randolph journeyed leisurely, as became the eighteenth century, to the home of his friend Pendleton, and the two took up their journey toward Philadelphia. They had hardly started when another messenger brought the most exciting news that had yet come; the British soldiers at Boston had tried to take Massachusetts' powder at Lexington and at once the long-dreaded issue was joined. At Lexington and all along the winding road that led back to Boston the enraged farmers had fought as freemen ought to fight. Northern and western Virginians were in wild excitement again. At such moments military men make statesmen obsolete.

No biographer has explained why Patrick

Henry was lingering at his rambling *Scotchtown* home after Randolph and Pendleton had departed for the great convention. The news of Lexington reached him, I think, on April 27. His course was not a moment in doubt. He called a meeting of the Hanover militia at Newcastle, a sleepy village on the road to Williamsburg. He made a ringing speech and was at once elected captain of the hundreds gathered about him—men with all sorts of arms in their hands, men on foot and on horseback, ready to march to Williamsburg. That night Henry sent Lieutenant Parke Goodall and a score of others as fast as horseflesh could take them across King William county to the home of Richard Corbin, collector of the King's revenue, to demand immediate payment for the powder. In case of refusal Corbin was to be brought immediately into the presence of Captain Patrick Henry at Doncastle, the next village on the way to Williamsburg, twenty-five miles away, where the expedition expected to halt on the night of the third of May. Corbin was discreetly absent from home and Goodall reported the next day the failure of his mission. But Carter Braxton, son-in-law of the collector, hurried into Henry's presence on the morning of May 4, and offered Corbin's

bond in payment for the powder. Henry refused the bond of a Tory. Braxton, a man of wealth, offered to endorse for Corbin, but the leader of the people refused to take the endorsement of the son of a Tory. Meanwhile hundreds of volunteers a-foot in hunting shirts with guns on their shoulders or on horseback with pistols or swords at their sides, crowded to the camp of Captain Patrick Henry. Robert Carter Nicholas and Thomas Nelson, who had made the arrangement with the governor a week before, were anxious. Dunmore was excited, frightened; all Williamsburg was in uproar, expecting "five thousand armed men" to appear at the door of the palace at any moment. Everyone knew something of Patrick Henry; and none doubted that, once in town, there would be trouble. Accordingly, early on the morning of May 4, Thomas Nelson offered to endorse Corbin's bond. Henry could not refuse a man who was wealthy enough to entertain regiments of troops for weeks and hardly feel the loss. He took the promise to pay three hundred and thirty pounds for the powder, twice as much as it was worth, and agreed to advise his men to return to their homes. The governor was greatly relieved.

But Henry took the occasion to send flying

messengers to Robert Carter Nicholas, offering to supply a company of men to guard the people's treasury at Williamsburg in case there was the remotest danger. The treasurer replied—what was untrue—that there was not the remotest danger of disturbance or danger at the capital. But no one could doubt who the victor was that day, even though there was a note of the demagogue in the following brief announcement of Captain Patrick Henry to the public:

> "The affair of the powder is now settled so as to produce satisfaction to me, and I earnestly wish to the colony in general."

As Henry turned his horse homeward, messengers came from many directions, telling of other meetings and other volunteer companies. Everywhere people shouted hurrah for Patrick Henry; no wise man could have doubted who was the real master of Virginia. Though the governor, not content to leave matters to Nelson and Nicholas, issued the following proclamation:[1]

> "Whereas I have been informed that a certain Patrick Henry and his deluded followers have taken up

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[1] I have abbreviated the proclamation, but used the words of the original and in no sense changed the meaning. William Wirt Henry, Patrick Henry, Life and Speeches, I, 284-86.

> arms, excited the people and committed acts of violence, I have thought proper, with the advice of his Majesty's council and in his Majesty's name, to issue this proclamation charging all persons not to aid, abet or give countenance to the said Patrick Henry, else the whole country must be involved in the most direful calamity. God save the king."

That was dignity, the old régime of the eighteenth century annoyed and peeved at the wild doings of the American wilderness.

Aware that there were not soldiers enough in North America to arrest him, Patrick Henry, stooping a little, sandy-haired, mild-mannered, his wig badly fitted to his unruly head, departed on the 12th of May for the continental congress. A cavalcade of horsemen escorted him from county border to county border all the way to the Potomac, like Martin Luther on his way to Worms two hundred and fifty years before. Crossing Maryland, he had time to commune with his horse about his recent course, and wonder what Speaker Randolph would say or do.

It was the eighteenth of May. The atmosphere of Philadelphia was chill. The city made no demonstrations. The belated Virginian went into eclipse. But on the tenth of June men heard in Carpenter's Hall that the Green Mountain boys had taken Fort Ticonderoga and its sup-

ply of arms. And every day there were warlike rumors from Boston. On June fifteenth George Washington, in his colonel's uniform, slipping in and out of doors to save his much cultivated modesty, was elected commander-in-chief of all the armies raised and being raised for the war. Henry cast his vote for the Virginia colonel, as did Richard Henry Lee, the latter a little doubtful of the wisdom of the choice. On the twenty-first of June Washington rode away toward Boston, requesting Henry to urge some of the new commander's propositions before congress. Washington was a wise man. The hazing of Henry ceased. On the next day couriers rode into the city telling the story of Bunker Hill. Was it not war? Had not Henry foretold it?

But Peyton Randolph, head of all the Randolphs, president of the continental congress, had journeyed south the latter days of May to take his place as speaker of the Virginia house of burgesses, the weight of a continent upon his weary shoulders—to save foolish men from the sorrowful consequences of foolish conduct. There had not been a session of the burgesses in ten years over which he had not presided, nor had either of the revolutionary conventions ventured to proceed without his grave presence in the

chair. Now his responsibilities, the very last months of his life, were greater than ever; and the governor of the old Dominion was the most foolish and reckless of all the long line of Virginia governors. On the first of June the burgesses were in session; Carter Braxton, son-in-law of Corbin, was there and Dudley Digges, Thomas Nelson, Jr., and the other great planters or scions of planter families, distressed at these uneasy times, wondering whether all the issues might not easily be adjusted if only the control of affairs might be left where control ought always to lodge, in the hands of men of property—the wise and the good. There were other Virginians; Thomas Ludwell Lee, brother of Richard Henry Lee, deserter of his class, and Thomas Johnson, the loud-mouthed member from Louisa, William Christian, the Indian fighter from Fincastle, Adam Stephens from Frederick, William Fleming, Jefferson's friend from Cumberland, and a score of others like these—talking *liberty and equality*, manhood suffrage and equal representation, their long trusty rifles standing in the corners of the room; tall, sinewy, weather-beaten, hard-handed men ready for arduous adventures; the men who within the year had fought desperately at Point Pleasant and beaten twice their

own number of Indians, were without wigs. More than half Virginia spoke through these representatives in hunting shirts and feathered caps, all that wide region that lay along the eastern foothills of the Blue Ridge, the populous counties between Staunton and the Potomac, and the great, wild mountain fastnesses that lay toward the Ohio. It was certain to be a troublesome session.

Randolph was hardly in the speaker's chair before commotions started. On the fifth of June some young men sought to enter the arsenal. They were shot by spring guns. The town was again in uproar. A committee of the burgesses made investigation and found several barrels of powder buried under the floor of the building, plainly prepared for some treacherous move of the governor. Public opinion in Virginia was again a-flame and fighting men were offering their services once more. On the seventh of June Dunmore abandoned fussy Williamsburg and took up his residence on board the man-of-war *Fowey*, in the York River. If the burgesses wished their bills to become law, they must journey to the place of the governor's retreat all the way across York county. Of course a quarrel ensued, the leading Virginians declaring that his

Majesty's governor had basely abandoned his Majesty's dutiful people. It was but an easy distance to Richmond, where the third revolutionary convention was opening on July 17, and thence Randolph, Braxton, and their unwelcome up-country fellows turned their faces.

The new convention was more radical than its predecessor, although Peyton Randolph was promptly made president. George Mason, the tall, dark-visaged liberal from Fairfax, took the seat Washington had occupied in March preceding, one of the ablest and sincerest of all the leaders of the American revolution. Thomas Johnson and his colleague of Louisa, Thomas Walker, were already known by their works; John Talbot of Bedford, John Boyer of Botetourt, and Robert Rutherford of Berkeley of the up-country party, were ready for independence or war, or both. Paul Carrington of Charlotte, William Fleming of Cumberland, William Christian of Fincastle, and Samuel McDowell of Augusta, partisans of Henry, were on the ground to press the cause of their leader not yet returned from Philadelphia. The absence of Henry was countered by the absence of his rival, Pendleton; nor may we doubt that Robert Carter Nicholas, Carter Braxton, William Robinson,

Joseph Hutchins, and others from the river counties were ready for still another contest on behalf of sanity and deliberation.

On the second day of the convention a great committee was ordered to prepare a comprehensive scheme for doing what was voted the preceding March, arming the colony. Isaac Zane, George Mason, William Christian, and others from the warlike sections of the dominion united with their low-country brethren to recommend a plan by which two regiments of regulars were to assemble at Williamsburg and two battalions were to be organized and scattered at strategic points on the eastern shore of the Chesapeake Bay and along the gaps of the Alleghany mountains. All the counties were to have a more active militia than ever before, and in addition some six thousand minute men were to assemble frequently, drill intensively, and hold themselves in readiness to move at a moment's notice. Arms and ammunition were to be bought wherever they could be found. A powder mill was to be set up at Fredericksburg, and lead was to be mined and smelted in the Fincastle district, probably at Wytheville of our day. Every man who had a rifle, gunpowder, or gun was asked to sell or loan the same to the colony.

The King's taxes were remitted for the time, a new and heavier tax was laid upon negroes and land and vehicles. Surveyors were authorized to lay out tracts of lands in the west, soldiers and squatters taking these tracts on the merest formalities—lands that belonged to the crown. Debts due British merchants, although not formally sequestered at this time, were not expected to be paid. A significant announcement was made: that all taxes were to remain uncollected till the autumn of 1777. Perhaps that would add to the popularity of the cause. But an issue of paper money was immediately authorized: three hundred and fifty thousand pounds. At last the people could resort to paper currency without the necessity of royal approval. All these arrangements were duly debated and passed as ordinances binding upon all, the county committees enforcing them in lieu of the old county courts. The earl of Dunmore, governor of Virginia, was formally declared a deserter from his post and an enemy of the people, like poor James II nearly a hundred years before.

Every day companies or groups or individuals offered at the courthouses were marched to Richmond or Williamsburg and duly enrolled. They wore the familiar hunting shirts, raw-hide

leggings, and caps of the western fighters, and bore upon their shoulders the long, heavy, small bore rifles already known near and far for their deadly effect. Upon their cartridge boxes or upon their jaunty banners one might read: "liberty or death," in crude letters; and sometimes there was the device of a snake about to strike and underneath the legend: "Don't tread on me." There was enthusiasm, devotion to the primitive idealisms of a new society, a faith in their cause, and a childlike belief that the power of George III must soon fall before their valiant attacks. Nor were they so badly trained as Washington, in his discouraged moments, has made us believe. All over the great region from Albany to Augusta most men and a great many women knew how to handle themselves under attack, could keep their rifles in order, and seldom failed to hit their marks. The Indian had taught them much. In the eastern counties the new recruits were less adept, but by no means helpless in the use of the weapons of war. What they needed was drill in larger units; and there were officers ready to the task.

Hugh Mercer, who had fought for the pretender at Culloden, served with Washington in the old French war and had never entirely

abandoned military studies for the dull arts of medicine, was in the convention as a member from Fredericksburg. And William Woodford, protégé of Edmund Pendleton, had seen much service in the same conflict; and he too had learned the art of command. Andrew Lewis of Augusta, a favorite of Washington, had been a captain at Point Pleasant where he served as commander-in-chief and saved that hard fought day. Adam Stephens of Frederick, William Christian, a brother-in-law of Henry, and a score of others had fought many terrible fights with Indians and were equal to responsible positions. Nor were the scores of county lieutenants in the older section of no value at all. They were at least accustomed to lead their neighbors.

With so many men fit for command it is little surprising that there should have been a bitter fight during the early days of August as to who should be the chief of the Virginia forces. Long before Patrick Henry returned from Philadelphia his friends offered his name for colonel of the first regiment. Immediately Henry's opponents presented the claims of Hugh Mercer. There could be no doubt of the military fitness of the latter or of three or four others. But the convention divided sharply, the party of Henry insisting upon

his election and at the same time showing that his friends now controlled the body. Henry was elected on the second ballot. Mercer refused to serve under the orator, and so William Woodford was chosen colonel of the second regiment, aligning all the followers of Pendleton on his side. Thus the unmilitary Henry would command all the Virginia forces when they were organized and the most military Woodford was subordinate. It was the voice of the people, and that was what the revolution against England was set up for.

A bitter pill. Deep animosity marked the conduct of the older members when they turned to elect the great executive committee, the committee of safety, which was to govern the distressed community. And to add to the anxiety, Henry, Pendleton, Harrison, and Jefferson rode into town at this very juncture—rode as jauntily together as though their adherents were not engaged in ardent conflict. Whether Henry asked his lieutenants to yield one cannot say. But when the great committee was elected Edmund Pendleton was chairman. Carter Braxton, the "Tory" of the gunpowder episode, was a member; and young William Cabell, of the upper James River country, no advocate of foolish radicalism, was likewise a member. The

majority of the committee was composed of Henry's enemies. Government by deadlock, the American method, for Henry as commander-in-chief would have to cooperate with Pendleton, head of the committee of safety. The tide swung a little the other way, however, when the next delegation to the continental congress was chosen, for on the new list one finds the names of Richard Henry Lee and his brother Francis Lightfoot, Thomas Jefferson, and George Wythe, names to be rendered immortal by the great document they were to sign the next summer. The session was over.

And it was time. On the seventh of June preceding, Governor Dunmore began to collect what sea-power there was in the Virginia waters, making Norfolk his headquarters. At his command were the *Mercury*, a war ship of twenty-four guns, the *Kingfisher*, sixteen, the *Otter*, fourteen, and a number of sloops and supply craft. The *Fowey* had sailed away to London with Lady Dunmore and her daughters. The governor was not in a weak position. He had about him two or three hundred Virginians who adhered to the crown, two companies of West India troops, his own and some hundreds of the slaves of other planters. The sea was open and

ammunition was always at command. The rivers of Virginia fall into the Chesapeake Bay, and they were navigable at that time to Georgetown, Fredericksburg, and Richmond for sea-going vessels; thus all over the low-country formidable war craft might easily enter the rivers, creeks, and bays and terrorize the plantations, carrying off negroes and supplies at will. The colony of Virginia had only one ship that might be called a war vessel and few others of any kind. The plantations were at the mercy of the governor. And Norfolk, a town of six thousand inhabitants, merchants, traders, a few planters, carpenters, and a host of slaves, was strongly opposed to the revolution. Outside of the town the people were reported to be almost unanimously "Tory," as the name soon came to be; and the exposed position of the two counties, Norfolk and Princess Anne, rendered any other attitude a little unreasonable. The long coast all the way to the Albemarle sound, North Carolina, was exposed to the sea; on the west of the region lay the impassable Dismal Swamp with only one passable road toward the west, the sluggish Elizabeth River flowing north and its waters ebbing and flowing with the tide far out into swamps and morasses. Norfolk and the whole wild area was

a natural stronghold for anyone who controlled the sea and the bay.

Virginia was in a state of blockade, though not officially so declared—at the mercy of her irate former governor. To meet this situation the convention made its arrangements and set up its army. When the members had turned their steps homeward the last days of August, Patrick Henry took his commission as colonel of the first Virginia regiment, rode twenty miles northwest to visit his dying wife, the poor woman who had endured all the hardships and vagaries of his early days, the mother of many children, leaving the scene of her toils just as her husband was reaching the very pinnacle of earthly fame—the simple, loyal housewife of a poor man—her place soon to be taken by the dashing Dorothy Dandridge, beautiful, elaborately dressed, her fine aristocratic nose sniffing the air, resolute and wilful, in a little while to be the successor of Lady Dunmore herself, there in the palace at Williamsburg! When the wife was laid away there in the lonely Henry cemetery, the colonel hastened away to Williamsburg where thousands of enthusiastic Virginians waited upon his word, waited little doubting that the war would soon be over. Liberty herself would rule supreme

in America. A short six months of war and toil, that was all!

Henry appeared at Williamsburg, made his headquarters at the college, spread tents for his two regiments over the field behind the ancient school, and set a faster pace for the drill masters; Patrick Henry, known and read of all men. But while the commander-in-chief set his school of war in order, Edmund Pendleton, the foil of Henry in every great political conflict since the first scandalous day when the gentleman from Hanover uncovered the financial corruption of the Robinson régime; Edmund Pendleton, wary, shrewd, skeptical of democracy in all its ways, was now the autocrat of the commonwealth, chairman of the committee of safety in perpetual session there in the palace recently vacated by the Earl of Dunmore. Henry was master of all the little army, the planner of campaigns, leader in battle itself; but Pendleton and his quorum of the committee was also master of the army, legal planner of campaigns, although as a committee it could hardly lead a charge against the British "tyrant." Here was a situation.

But events did not wait upon the two contending authorities in Williamsburg. The formal non-

exportation ordinance of congress stopped all sales of tobacco, the tobacco on which the value of the currency depended. Salt became so rare an article that men began to horde it; there was not a cannon in the colony to answer the big guns that roared from the decks of the *Mercury* and the *Kingfisher*. Times were critical. Men began, as men will, to complain of ills they might have foreseen; but contracts were let to make salt of sea water; and sugar and powder and lead slipped in now and then in spite of the governor's watchfulness.

Late in October Captain Squires of the *Otter*, overawing the plantations about Hampton found his supply vessel driven ashore by a heavy wind. He abandoned the ship lest he and his men be captured by the farmers. The contents of the vessel were quickly appropriated by the revolutionists, and Dunmore threatened at once to lay Hampton in ruins. On the twenty-fourth of October Henry would have led a detachment of his army to the scene; but the committee of safety ordered Colonel Woodford of the second regiment and his subordinate, James Innes, to protect the town, Woodford making it known that he would not submit to the authority of Colonel Henry. After a lively skirmish Dunmore's at-

tack was beaten off, and the Virginians had their first taste of victory. Dunmore was enraged. On the seventh of November he issued formal challenge to his erstwhile "dutiful subjects."

> "To defeat treasonable purposes and in order that all traitors may be brought to justice, I have thought fit to issue this my proclamation declaring martial law, calling upon all persons capable of bearing arms to resort to his Majesty's standard; and I do further declare all indented servants, negroes, or others appertaining to rebels free, and call upon all who are able of these likewise to join his Majesty's troops in order the more speedily to reduce this colony to a proper sense of their duty to his Majesty's crown. God save the King."

Norfolk was now the capital of royalist Virginia, and the governor was there, gathering about him all who feared the ancient power of Great Britain. If Henry and the committee of safety did not work out of their conflict of powers and strike quickly, all lower Virginia and a part of North Carolina would be organized against them. It so happened at this critical juncture that the instructions of the Earl of Dartmouth to Dunmore fell into the hands of Washington.

Their contents were soon advertised to the country:

> "We intend to send twenty thousand men next spring. You should be able to collect from the

> Indians, negroes and other persons a force sufficient to subdue rebellion. If you can not subdue them, come home and give the enclosed commission to Colonel Richard Corbin."

A little later Lord George Germain wrote to the governor of North Carolina:

> "The armament is now ready, seven regiments of infantry from Ireland, three artillery companies with Lord Cornwallis to command; and the following great war vessels: the *Bristol*, the *Acteon*, the *Boreas*, the *Soletay*, the *Syren*, the *Sphynx*, the *Deal Castle* and the *Hawk*, commanded by Sir Peter Parker."

Such vast military and naval expeditions gave ample warning to the older and conservative heads of Virginia that a declaration of independence was a most dangerous thing. Seven or eight thousand forest soldiers, learning the art of European warfare under the tutelage of Patrick Henry and William Woodford, each jealous of the other! The committee decided on the twenty-fourth of October, before the meaning of Dunmore's movements became evident, that Colonel Woodford should march the second regiment and the Culpepper minute men, all with the best arms there were, to the neighborhood of Norfolk and seek to dislodge the governor. Again it was Colonel Woodford who was to com-

mand; Colonel Henry was to remain at Williamsburg and drill the incoming recruits and, as it turned out, argue with the committee.

Woodford stole across the James River early in November and marched toward Suffolk, twenty miles southwest of Norfolk. There he made ready a base of operations and supplies. But Dunmore sought to forestall the traitors. He marched some three hundred of his motley force to Great Bridge, twelve miles south of Norfolk, built a log fort, derisively called the "hog pen," and prepared to stop Woodford. It was a lonely spot in the midst of bog, water, and fallen trees, a hundred yards from the bridge. Captain Fordyce, a brave officer, was in immediate charge. There were two hundred first rate soldiers, the others undrilled loyalists and ex-slaves. Norfolk and the stretch of country extending south to the Albemarle sound and the entrances to all the rivers of Virginia and upper North Carolina were under the strictest surveillance and the simpler folk of the low country thought they saw which was to be the winning side. Woodford had seven hundred men, some of them the best marksmen in the world. But he had not a single cannon. His bullet moulds did not match his rifles; his powder was scarce; and lead for the moulding

of bullets was equally scarce. His men were none too well clad in their sleazy, nutbrown hunting shirts; their bare feet were upon the ground, and winter was approaching. *Liberty or death*, as one spelled out the words on the banners of the Culpepper men, did not suggest so light a matter in an exposed camp as they had seemed to suggest half a year before when Captain Patrick Henry was about to march upon Williamsburg.

On December first the convention met again, the fourth revolutionary gathering. Patrick Henry was not a member. More than half his troops were off at Suffolk or pushed forward on the road to Great Bridge, their tents set near the bridge in a bog, their ammunition still scarce, and their foodstuff running low. The remainder of the troops were without arms or undrilled about Williamsburg, at Richmond, or Hampton, doing guard duty, trying to thwart Dunmore's marauding parties. When the wise men assembled—Peyton Randolph dead there in Philadelphia where he had gone in September on his last mission for his country—the news from the north trickled in: The twenty thousand men were really coming; a great fleet was either already in northern waters or making ready at Bristol; the Tories were rallying under Governor

Tryon in New York. Washington wrote from Boston:

> "If that man, Dunmore, is not crushed before spring, he will become the most formidable enemy America has; his strength will increase as the snowball by rolling, and faster if some expedient can not be hit upon to convince the slaves and servants of the impotency of his designs. I do not think forcing his lordship on shipboard is sufficient; nothing less than depriving him of life or liberty will secure peace to Virginia."

Had he not dined and danced with Lady Dunmore and her lovely daughters a little while ago?

Slaves and servants! All over the low country there were slaves and indentured servants and poor farmers crowded upon the thin sandy ridges, living from hand to mouth. More than half the population, with no stake in the cause. John Page was trying to get a flotilla of gunboats upon the bay in the hope of checking the operations of his Majesty's governor and vice admiral. But there was Patrick Henry, still powerful, snubbed and insulted by Edmund Pendleton and his committee; angered by Colonel Woodford, who refused to report to or communicate with him at all—Henry, the voice of the people. The up-country members were enraged;

members of congress, even Washington himself offering advice, lamenting the foolish decision of Henry in abandoning "the senate for the field," forgetting that in the senate it had always been the one great task of the selfsame men to thwart the same Henry. As the month of December wore on something must be done.

A ray of light shone in from the pine-woods of North Carolina. There the lively and "unscrupulous" Willie Jones had hastened events a little faster than they had been hastened in Virginia. Their provincial congress had set up two regiments of troops and begun to drill even before the Virginians had begun; one of their regiments, five hundred men, was at Edenton, seventy-five miles directly south of Norfolk. Robert Howe, schooled in the old French war, ranked both Henry and Woodford. If he marched to Norfolk to assist the Virginians, as he ought to do, he would take command and Patrick Henry would have no proper ground of complaint, so also Woodford and Pendleton, his chief! But Woodford was a soldier. He hastened action. On the eighth of December, nearly five hundred men in his camp just south of Great Bridge, he hit upon a ruse, as I think, to deceive Captain Fordyce out of his "hog pen." A

negro boy hurried to the British side of the river and told a tale of American distress and fear: There were only two or three hundred men; they were without proper ammunition, half-naked, and in danger of starvation. Dunmore, who was himself present, believed the story, ordered Fordyce to attack next morning at sunrise. The brave leader obeyed, marched his men along the narrow causeway and over the bridge to the very border of Woodford's camp. Captain Bullitt, Indian fighter, first gave the alarm, and Captain Adam Stephens joined him in hasty measures of defense. Fordyce and his picked men advanced within twenty feet of Woodford's defenses when a deadly volley of rifle shot mowed down his men, the British captain being the first to fall. It proved a bitter and a costly attack. In two hours it was all over; a hundred of Dunmore's men lay dead or were unable to leave the muddy field. Woodford had lost one man; the hunting shirts had done the work. It was a godsend to the revolutionists of Virginia; it stirred drooping spirits as they had not been stirred since the news of Lexington.

Dunmore hastened to Norfolk. Colonel Robert Howe came on from North Carolina and joined the Virginians, taking command. Some

twelve hundred men marched on December 14th into Norfolk, Governor Dunmore taking position once more on board his war vessel. Quickly the news spread. The "servants and slaves" had seen a new light as Washington had wished; Norfolk and Princess Anne counties ceased to furnish volunteers and supplies to his Majesty's troops or ships. Woodford and Howe, reporting directly to the convention, rather than to Henry, wished to know what should be done with the wicked Tories, "nine-tenths of the population" as they declared. The convention in the midst of more effective military preparations left their commanders pretty much to themselves.

While the country rejoiced at the happy turn of things, a new British war vessel hove into sight. It was the man-of-war, *Liverpool;* its supplies were running low. There were many marines on board. Dunmore called upon the Norfolk merchants and the neighboring planters to sell them supplies. The merchants and planters were unable to grant the demand. On December 31 the governor made his last important move. He warned the Norfolk authorities that he would bombard their town if they both failed to sell him supplies and continued to permit his ships to be fired upon from the warehouses along the shore.

Howe made no concessions. The warehouses were filled with combustibles, including many barrels of tar, pitch, and turpentine. At three o'clock on January 1 the British navy began to bombard the town. Under cover of the guns men were sent ashore to fire the warehouses. Clouds of black smoke and lurid flames rose. The wind set in strong from the sea. The town was quickly on fire. It was the work of the last British governor, an act that once more fulfilled all the prophesies of Patrick Henry. But neither Howe nor Woodford sought to extinguish the fire; in fact, all the American officers but Andrew Lewis advised the burning of Norfolk, the "nest of Tories," in order to make an end of troubles in that exposed peninsula. Before the sun disappeared that cold, winter night, Norfolk was a heap of smouldering ashes, and thousands of poor folk were cast upon the mercies of the neighboring farmers or the generosity of the fourth revolutionary convention.

Three times the representative of the royal authority had furnished fuel for the revolutionary fire in Virginia: by the seizure of the ammunition in the arsenal in April, which resulted finally in Henry's spectacular march upon the little capital; by the proclamation of November 7, whereby the

servants and the slaves of Virginia were declared to be free and promised arms to fight their former masters, which solidified the revolutionary party and brought from Washington a violent denunciation; and finally by the ultimatum which led to the utter destruction of Norfolk the first day of January, 1776. The powerful Edmund Pendleton and his many low-country supporters, themselves still in control of the committee of safety, hopeful even then of a reconciliation with the British government, were rendered helpless. Until lately Washington had declared that he had no thought of independence, and Jefferson was writing: no man in America wishes to live under any other sovereignty than that of Great Britain.

But Patrick Henry, isolated, browbeaten, sore, and resentful there at Williamsburg, drilling his admiring recruits, meant more to the cause which was driving ancient Virginia into the great, radical movement than the committee of safety with all its powers, more even than the rash and foolish governor whom a reactionary British ministry had put upon the greatest of the American colonies. Whatever the orator-colonel thought of his enemies and his jealous rivals, the old Dominion had taken the road to revolution, and her leaders must soon avow their purposes

before the whole world—take their chances, very narrow chances, of becoming founders of the greatest nation in the world, or of adorning with their fine, powdered heads the gallows on Tower Hill, London.

WITHDRAWN